



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT  
AMENDMENT ROUND 19-A2

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BCC ADOPTION PUBLIC HEARING, MAY 23, 2019

A. Application Summary

I. General

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Project Name:	Rainberry PUD - Pod B (LGA 2018-009)
Request:	LR-3 to MR-5
Acres:	34.10 acres
Location:	East side of 95th Avenue S, approx. 0.26 miles south of Glades Road
Project Manager:	Melissa Michael, Planner II
Applicant/Owner:	Mel Lowell, Jewish Community Facilities Corp.
Agent:	Lindsay Libes, Wantman Group Inc.
Staff Recommendation:	Staff recommends <b>approval with conditions</b> based upon the findings and conclusions contained within this report.

II. Assessment & Conclusion

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The proposed amendment is a request to change the future land use designation on a 34.10 acre site from Low Residential, 3 units per acre to Medium Residential, 5 units per acre (MR-5). The site is located in Pod B of the existing Rainberry PUD and the intent of the amendment is to expand an existing Congregate Living Facility (CLF) on an unbuilt portion of Pod B. The amendment would allow the Congregate Living Facility to utilize the additional density to increase the allowable beds from 244 beds to 407 beds. A voluntary condition of approval is included with this amendment to limit the density increase to a CLF use.

The subject site is Pod B of the Rainberry PUD which is a total of 115.62 acres with future land use designations that vary from LR-3 to High Residential, 12 units per acre (HR-12). The Rainberry PUD functions as a campus style development, with diverse uses at varying intensities including schools, daycares, congregate living facilities, administrative offices, recreation, housing, and nursing facilities. The zoning application is requesting to relocate and reduce square footage for approved assembly nonprofit institutional uses within the Pod and to increase the number of allowed CLF beds.

The subject site is surrounded by residential developments built with densities ranging from 3 to over 12 units per acre. The request represents an appropriate density increase that will allow a more efficient use within an approved project and will offer increased opportunities for independent and assisted living in the area. The request is compatible with the surrounding land uses and in character with the overall residential uses and densities in the vicinity. This amendment request is consistent with all applicable policies in the Comprehensive Plan including all level of service standards.

### III. Hearing History

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**Local Planning Agency:** *Approval with conditions*, motion by Angella Vann, seconded by Marcia Hayden, passed in a 10-0 vote at the June 29<sup>th</sup> public hearing. Board discussion included questions regarding public notice, fire rescue response time and congregate living facility bed calculations. Two residents of the community to the east of the site spoke in opposition citing building height and noise concerns, and submitted a petition with 67 signatures for the record (see Exhibit 8).

**Prior BCC Hearings:** This item was postponed by the BCC at the July 23<sup>rd</sup> and October 31<sup>st</sup> transmittal hearing with direction to the applicant to work with adjacent residents on the associated site plan to address compatibility with the adjacent single family residences. The applicant has met with the surrounding residents and modified the request as summarized in Exhibit 8.

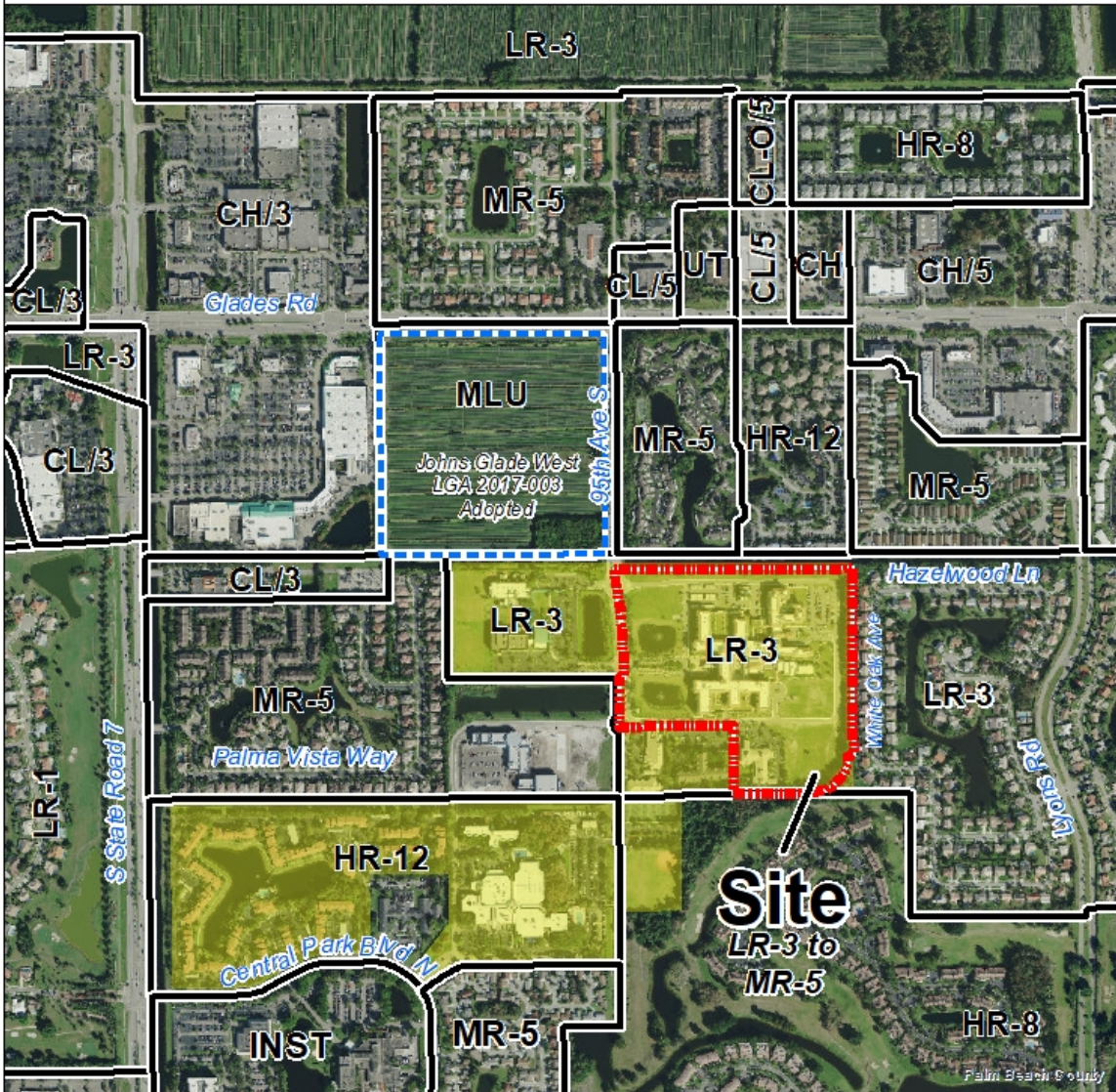
**Board of County Commissioners Transmittal Public Hearing:** *Transmit*, motion by Commissioner Berger, seconded by Commissioner Kerner, passed in a 7 to 0 vote at the January 28, 2019 public hearing. Under discussion, commissioners directed staff to examine the landscape buffer currently in place for consistency with the Code, expressed support for continued dialogue between the surrounding residents and the applicant between transmittal and adoption, and questioned the impacts on fire-rescue. Thirteen members of the public spoke on the item. Seven members of the public from the adjacent Timbers of Boca neighborhood spoke in opposition citing traffic concerns, height and visibility of the building, inadequate landscape buffer, and impacts on fire rescue. Six members of the public, largely residents of the Sinai Residences assisted living facility on the subject site, spoke in support citing the need for the expansion of the age-in-place facility in the community.

**State Review Comments:** The State Land Planning Agency issued a letter dated March 8, 2019 stating that the Agency had no comment on the proposed amendment. There were no other state agency comments received regarding this amendment.

**Board of County Commissioners Adoption Public Hearing:** *Scheduled for May 23, 2019*

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Future Land Use Atlas Amendment  
Rainberry PUD - Pod B (LGA 2018-009)



Site Data

Size: 34.10 acres  
Existing Use: Type III CLF  
Proposed Use: Residential  
Current FLU: LR-3  
Proposed FLU: MR-5

Future Land Use Designations

LR-1 Low Residential, 1 unit per acre  
LR-3 Low Residential, 3 units per acre  
MR-5 Medium Residential, 5 units per acre  
HR-8 High Residential, 8 units per acre  
HR-12 High Residential, 12 units per acre  
CL/3 Commercial Low with underlying LR-3

CL/5 CL with underlying MR-5  
CL-O/5 CL-Office with underlying MR-5  
CH Commercial High  
CH/5 CH with underlying MR-5  
MLU Multiple Land Use  
INST Institutional and Public Facilities  
UT Utilities and Transportation

Date: 9/21/2017  
Contact: Planning  
Filename: Planning\AMEND\18-B\Site\18-09

Note: Map is not official, for presentation purposes only.

 SITE  
 Rainberry PUD



0 200 400 800 Feet

Planning, Zoning & Building  
2300 N. Jog Rd, WPB, FL 33411  
Phone (561) 233-5300



**B. Petition Summary**

**I. General Data**

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**Project Name:** Rainberry PUD - Pod B (LGA 2018-009)  
**Request:** LR-3 to MR-5 *with condition*  
**Acres:** 34.10 acres  
**Location:** East side of 95th Avenue S, approximately .26 miles south of Glades Road  
**Project Manager:** Melissa Michael, Planner II  
**Applicant/Owner:** Mel Lowell, Jewish Community Facilities Corp.  
**Agent:** Lindsay Libes, Wantman Group Inc.

**II. Site Data**

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**Current Future Land Use**

**Current FLU:** Low Residential, 3 units per acre (LR-3)  
**Existing Land Use:** Congregate Living Facility (CLF) Type 3  
**Current Zoning:** Planned Unit Development (PUD)  
**Current Dev. Potential Max:** Residential, up to 102 dwelling units or 244 congregate living facility beds

**Proposed Future Land Use Change**

**Proposed FLU:** Medium Residential, 5 units per acre (MR-5) *with a condition to limit the density to a congregate living facility*  
**Proposed Zoning:** Planned Unit Development (PUD)  
**Dev. Potential Max/Conditioned:** Residential, up to 170 dwelling units or 407 congregate living facility beds

**General Area Information for Site**

**Tier/Tier Change:** Urban Suburban Tier - No Change  
**Utility Service:** Palm Beach County Water Utilities  
**Overlay/Study:** None  
**Comm. District:** Commissioner Mary Lou Berger, District 5



## C. Introduction

### I. Intent of the Amendment

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The amendment is proposed to change the future land use designation on a 34.10 acre site from Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5). The intent is to expand an existing Congregate Living Facility. The proposed amendment includes a voluntary condition of approval that limits the use of the proposed 5 units per acre density to only a Congregate Living Facility (CLF) and limits any other residential use on the site to 3 units per acre density.

The subject site is Pod B of the Rainberry PUD which is a total of 115.62 acres with future land use designations that vary from LR-3 to High Residential, 12 units per acre (HR-12). The Rainberry PUD functions as a campus style development, with diverse uses at varying intensities including schools, daycares, congregate living facilities, administrative offices, recreation, housing, and nursing facilities. The future land use designation development potential for the PUD is a total of 868 dwelling units for which all but 57 are approved or built (letter of determination dated August 12, 2016). The 57 remaining dwelling units allow 136 CLF beds.

The amendment is proposed for the 34.10 acre Pod B in order to allow additional beds for the expansion of the existing CLF. The number of residents (beds) for a CLF Type 3 is calculated by multiplying the acreage of the site by the residential density allowed by the future land use designation, and then by 2.39 persons per unit to determine the number of residents allowed. Under the current LR-3 designation for the 34.10 acre Pod B, the 3 unit per acre density would allow up to 102 residential dwelling units or up to 244 CLF beds (102 x 2.39). The proposed MR-5 designation allows up to 5 units per acre for a total of 407 beds (171 x 2.39). The amendment will allow an additional 163 beds development potential within the PUD, of which 67 beds are proposed as part of the zoning application

Pod B has been approved for an adult day care (23,000 s.f.), Type 3 CLF (538 beds), nursing home (60 beds) and assembly nonprofit institutional (78,984 s.f). The amendment is being reviewed concurrently with zoning application (DOA-2017-1814) which proposes to add 203 beds to the existing CLF (136 allowed by the current designation plus 67 from the amendment) and to relocate and reduce the square footage for the assembly nonprofit use within the Pod.

### II. Background/History

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The subject site comprises seven parcels totaling 34.10 acres on the east side of 95th Avenue South approximately 0.26 miles south of Glades Road. The site has not been the subject of a prior future land use amendment.

#### Overview of the Area

The site is located west of Boca Raton, south of Glades Road between Lyons Road and State Road 7 in a suburban area of the County. The area includes a mix of low, medium, and high density residential development with future land use designations ranging from 3 to 12 units per acre. The intersections of Lyons Rd and SR 7 at Glades Rd are comprised of commercial nodes. To the north of the site along 95th Ave South is the Johns Glades West amendment that was approved by the County for a land use and zoning change from residential to a mixed use in 2017.

## D. Consistency and Compatibility

### I. Data and Analysis Summary

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This section of the report examines the consistency of the amendment with the County's Comprehensive Plan, Tier Requirements, applicable Neighborhood or Special Area Plans, and the impacts on public facilities and services.

#### A. Consistency with the Comprehensive Plan - General

1. **Justification: FLUE Policy 2.1-f:** *Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on:*

1. *The natural environment, including topography, soils and other natural resources; (see Public Facilities Section)*
2. *The availability of facilities and services; (see Public Facilities Section)*
3. *The adjacent and surrounding development; (see Compatibility Section)*
4. *The future land use balance;*
5. *The prevention of urban sprawl as defined by 163.3164(51), F.S.;*
6. *Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and (see Neighborhood Plans and Overlays Section)*
7. *Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1. (see Public and Municipal Review Section)*

**Applicant's Justification:** The applicant has prepared a Justification Statement (Exhibit 2) which can be summarized as follows:

- *"The proposed use is suitable and appropriate for the subject site, as the proposed development is an expansion of the existing Type 3 CLF. The surrounding area consists of high and low residential uses, public and institutional uses and commercial expanding towards Glades Road. The proposed amendment supports diverse mix of uses that complement the campus and surrounding community."*
- *"The MR-5 FLU designation for the expansion of the Type 3 CLF will secure the objectives of the Urban Suburban Tier, by promoting infill development and housing opportunities, while ensuring no adverse impacts will occur as the result of this request. The recent change granted for John's Glades West to accommodate HR-8 reflects the value of infill sites to accommodate the County's projected population growth and housing demand. The request to MR-5 will accommodate a growing senior population on an infill site that has proven to be compatible with the surrounding community."*
- *"There are no significant changes to the surrounding character of the community, the uses are compatible and the increase in density will be utilized specifically for the bed expansion of the Type 3 CLF."*
- *"The subject site is an area of undeveloped land within the PUD that is an ideal location in which to expand the use. Expanding the existing use takes advantage of existing infrastructure and services, further promoting the County's infill objectives."*

**Staff Analysis:** This policy is the umbrella policy over the entire FLUA amendment analysis and many of the items are addressed elsewhere in this report as identified above.

As stated in the background section of this report, the subject site is part of the Rainberry PUD which is comprised of residential and civic pods, and this request will reduce and relocate square footage for an assembly use in order to expand the existing congregate living facility (CLF).

Directly abutting the site are low, medium, and high residential future land use designations with densities that range from 3 to 12 units per acre. The subject site has a Low Residential, 3 units per acre future land use designation and is seeking a future land use amendment to Medium Residential, 5 units per acre, solely for the purposes of increasing the allowable number of CLF beds. Staff concurs that the proposed amendment is consistent with the adjacent and surrounding development and will not compromise the balance of uses. The proposed amendment is suitable and appropriate for the subject site, as the density will be utilized to expand an existing Congregate Living Facility on an undeveloped piece within the Pod, having no impacts on existing infrastructure and services. Therefore, the applicant has met the requirements for an adequate justification.

2. **County Directions – FLUE Policy 2.1-g:** *The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County.*

**Direction 1. Livable Communities.** *Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of*

*natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.*

**Direction 2. Growth Management.** *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth, by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.*

**Direction 4. Land Use Compatibility.** *Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.*

**Staff Analysis:** The proposed amendment furthers **Direction 1, Livable Communities**, by fostering additional housing opportunities for ‘aging in place’ for existing and future residents of the Urban/Suburban Tier. A Livable Community, as stated in the Future Land Use Element of the Comprehensive Plan under **1.D. Characteristics of a Livable Community**, comprises certain characteristics that either the existing surrounding community exhibits or the proposed FLU on the subject site will enhance, create, or maintain. Characteristics as stated under this section, which pertain to the subject site, include the following: civic uses such as schools, places of worship, libraries, parks, and government services; health facilities, adult and childcare, and a diverse mix of housing for a wide range of family and household types. In addition, the proposed amendment furthers the **Direction 2, Growth Management**, by encouraging a sustainable and balanced land use pattern through providing an alternative means to approve congregate living facilities in the Tier. **Direction 4, Land Use Compatibility**, is discussed in the Compatibility section of this report.

3. **Piecemeal Development - Policy 2.1-h:** *The County shall not approve site specific Future Land Use Atlas amendments that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.*

**Staff Analysis:** The definition of piecemeal development in the Comprehensive Plan describes “A situation where land, under single ownership or significant legal or equitable interest (by a person as defined in Section 380.0651[4] F.S., is developed on an incremental basis, or one piece at a time, with no coordination or overall planning for the site as a whole.” The subject site contains an existing Congregate Living Facility and is comprised of seven parcels which make up the Rainberry PUD - Pod A. No parcel in the Pod is left out of the proposed amendment. Therefore, the proposed amendment is not piecemeal, and does not create a residual parcel.

## **B. Consistency with Urban/Suburban Tier Requirements for the Specific FLU**

Future Land Use Element Objective 1.1, Managed Growth Tier System, states that “*Palm Beach County shall implement the Managed Growth Tier System strategies to protect viable existing neighborhoods and communities and to direct the location and timing of future development within 5 geographically specific Tiers.....*” The property is located in the Urban/Suburban Tier. The Comprehensive Plan contains several policies addressing future land uses in the Urban/Suburban Tier.

1. **Policy 1.2-a:** *Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:*
1. *Allowing services and facilities consistent with the needs of urban and suburban development;*
  2. *Providing for affordable housing and employment opportunities;*
  3. *Providing for open space and recreational opportunities;*
  4. *Protecting historic, and cultural resources;*
  5. *Preserving and enhancing natural resources and environmental systems; and,*
  6. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.*

**Staff Analysis:** The proposed amendment would expand the current living options in the immediate area, allowing the local population to age in place. Additionally, this amendment is compatible with the scale, mass, intensity of use, height and character of the surrounding suburban communities. For those reasons, this amendment is consistent with Policy 1.2-a.

2. **Policy 2.2.1-l: Congregate Living Residential.** *The purpose of the Congregate Living Residential (CLR) future land use designation is to facilitate the review of proposed Congregate Living Facilities (CLF) Type 3 that require a future land use amendment to increase residential density. The CLR designation is subject to the following:*

1. *Proposed future land use amendments requesting an increase in density for the purposes of developing a CLF Type 3 shall apply for the CLR designation **unless the site is proposed within a project that has multiple or mixed land uses.** Amendments requesting to be co-located non-residential uses may apply for a non-residential future land use designation with an underlying CLR and be subject to the location requirements of the non-residential designation.*

**Staff Analysis:** The proposed amendment is to change the future land use designation of the site from Low Residential, 3 units per acre (LR-3) to Medium Residential, 5 units per acre (MR-5) for the purpose of expanding an existing CLF. The proposed amendment includes voluntary conditions of approval that limit the use of the proposed 5 units per acre density to only a Congregate Living Facility (CLF) and limit any other residential use on the site to 3 units per acre density. This amendment would increase the number of beds on the subject site from 244 beds to 407 beds. The subject site is not required to apply for the newly created CLR designation as it is located within a multiple use project. The underlying density will be retained through the voluntary condition and the amendment is accompanied by a concurrent zoning application as required. Therefore, the proposed amendment is consistent with the policy.

## C. Consistency other Comprehensive Plan Elements

**Housing Element Policy 1.4-c:** *The County shall provide for foster care, group homes and other special needs facilities to be permitted in residential neighborhoods. Farm worker housing is currently permitted in the Agriculture Reserve (AGR), Agriculture Production (AP) and Special Agriculture (SA) land use categories.*

**Staff Analysis:** The proposed amendment is surrounded by low, medium, and high density residential neighborhoods and is an expansion of an already existing CLF. Therefore, this amendment is consistent with this policy.

## D. Compatibility

Compatibility is defined as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use.

**Surrounding Land Uses:** Immediately abutting the site are the following:

**North:** Directly north of the subject site across a Lake Worth Drainage District canal are medium and high residential future land use designations. The Boca Ridge Glen residential subdivision was built in the early 1990s and has a Medium Residential, 5 units per acre (MR-5) future land use designation. The Boca Ridge Park and Boca Ridge condominiums were also built in the early 1990s and have a High Residential, 12 units per acre (HR-12) future land use designation.

**East:** Directly abutting the site to the east is the Timbers of Boca subdivision. The subdivision was built in the early to mid-1980s and has a Low Residential, 3 units per acre (LR-3) future land use designation.

**South:** Abutting the site to the south are low and high residential future land use designations. To the southwest is Rainberry PUD - Pod A that is comprised of JARC multi-family housing and a resource center. To the southeast is the Boca Lago residential subdivision which was built around 1980 and has a High Residential, 8 units per acre (HR-8) future land use designation.

**West:** To the west of the subject site, across 95th Avenue South, is the 13.78 acre Rainberry PUD - Pod C. This civic pod contains the Katz Hillel Day School of Boca Raton



and Weinbaum Yeshiva High School, which both have a Low Residential, 3 units per acre future land use designation.

**FLUE Policy 2.1-f** states that *“the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity.”* And **FLUE Policy 2.2.1-b** states that *“Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintain to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.”*

**Applicant’s Comments:** The applicant lists the surrounding uses and designations in Exhibit 2 along with a summary of compatibility as follows:

- The area immediately adjacent to the subject site is a mix of residential uses (to the north, south, and east) and nonresidential (to the west).
- this increase does not alter the character of the area, nor does it create any adverse impacts on adjacent communities

**Staff Analysis:** The amendment proposes to increase the residential density on the site from 3 units per acre to 5 units per acre in order to expand an existing Congregate Living Facility. The site is adjacent on all sides to residential future land use designations, ranging from 3 units per acre to 12 units per acre. The proposed use and density of 5 units per acre are compatible with the surrounding densities and existing development in the immediate vicinity.

#### **E. Consistency with County Overlays, Plans, and Studies**

1. **Overlays – FLUE Policy 2.1-k** states *“Palm Beach County shall utilize a series of overlays to implement more focused policies that address specific issues within unique identified areas as depicted on the Special Planning Areas Map in the Map Series.”*

**Staff Analysis:** The proposed amendment is not located within any Special Planning Areas.

2. **Neighborhood Plans and Studies – FLUE Policy 4.1-c** states *“The County shall consider the objectives and recommendations of all Community and Neighborhood Plans, including Planning Area Special Studies, recognized by the Board of County Commissioners, prior to the extension of utilities or services, approval of a land use amendment, or issuance of a development order for a rezoning, conditional use or Development Review Officer approval.....”*

**Staff Analysis:** The proposed amendment is not located within a Neighborhood Plan.

#### **F. Public Facilities and Services Impacts**

The proposed amendment will change the Future Land Use designation from LR-3 to MR-5 on the 34.10 acre site. For the purposes of the public facilities impact analysis, impacts are based on a change from an existing Congregate Living Facility with 538 beds to a Congregate Living Facility with the maximum potential of 721 beds. Public facilities impacts are detailed in the table in Exhibit 3.

1. **Facilities and Services – FLUE Policy 2.1-a:** *The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.*

**Staff Analysis:** The proposed amendment has been distributed to the County service departments for review and there are adequate public facilities and services available to support the amendment, and the amendment does not exceed natural or manmade constraints. Staff sent a request for departmental review of the proposed amendment to various County departments and external agencies for review of public facility impacts. No adverse comments were received from the following departments and agencies regarding impacts on public facilities:

Zoning (ULDC), Mass Transit (Palm Tran), Potable Water & Wastewater (PBC Water Utilities Dept.), Environmental (Environmental Resource Management), Traffic

(Engineering), Historic Resources (PBC Archeologist), Parks and Recreation, School Board, Health (PBC Dept. of Health), Fire Rescue, and Community Services (Health & Human Services).

The following comments were provided:

- **Fire Rescue:** *"This property is primarily served by Station #57, located at 9030 Vista Del Lago, Boca Raton. The subject property is approximately 2.50 miles from the station. In fiscal year 2016, the station had an average response time of 6:50 to its entire service area. The amendment of this property will have some impact on Fire Rescue."*
- **Zoning Division:** *"Staff has raised concerns in regards of the height of the building and its impact on the adjacent Single Family Residential district to the east."*

**2. Long Range Traffic - Policy 3.5-d:** *The County shall not approve a change to the Future Land Use Atlas which:*

- 1) *results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at adopted level of service standard "D" based upon cumulative traffic comprised of the following parts a), b), c) and d):.....*

**Staff Analysis:** The Traffic Division reviewed this amendment at a maximum development potential of 171 dwelling units. According to the County's Traffic Engineering Department (see letter dated August 3, 2017 in Exhibit 6) the amendment would result in an increase of 690 net daily trips and 235 (168/67) AM and 285 (124/161) PM net peak hour trips.

The Traffic letter concludes, *"Based on the review, the Traffic Division has determined that the proposed amendment, at maximum potential, will generate less trip as compared to that of the approved development. Therefore, it meets Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan at the maximum potential density shown above."*

The Traffic Study (see Exhibit 4) was prepared by Dr. Juan Ortega, P.E. Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:

<http://www.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

## **II. Public and Municipal Review**

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The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *"Palm Beach County will continue to ensure coordination between the County's Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities....."*

- A. Intergovernmental Coordination:** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review on May 21, 2018. To date, no objections through the IPARC process to this amendment have been received.
- B. Other Notice:** Public notice by letter was mailed to the owners of properties within 500' of the perimeter of the site on June 29, 2018. In addition, the Planning Division notified interested parties including Timbers of Boca HOA, Boca Lago Country Club, Boca Ridge Glen HOA, Pine Springs HOA, Ponte Verde Master Association, Palma Vista, Palma Vista at Ponte Verde HOA, Arbor Oaks Apartments POA, Timbers of Boca Homeowners, ZOM Boca Raton LTD, Rainberry Park HOA, Rainberry at West Boca POA, Boca Woods Country Club POA, and Mission Bay Community Association. Staff received correspondence from the Timbers of Boca Homeowners Association Board of Directors on July 16, 2018 and October 24, 2018. Letters received are added to Exhibit 8 during the course of the amendment process.
- C. Informational Meeting:** The Planning Division hosted a meeting with area residents and interested parties to relay information regarding the amendment and development approval process on June 20, 2018. No members of the public attended regarding the subject site.

III. Conclusions and Recommendation

The proposed amendment is a request to change the future land use designation on 34.10 acre site from Low Residential, 3 units per acre to Medium Residential, 5 units per acre (MR-5). The site is located in Pod B of the existing Rainberry PUD and the intent of the amendment is to expand an existing Congregate Living Facility (CLF) on an unbuilt portion of Pod B. The amendment would allow the Congregate Living Facility to utilize the additional density to increase the allowable beds from 244 beds to 407 beds. A voluntary condition of approval is included with this amendment to limit the density increase to a CLF use.

The subject site is Pod B of the Rainberry PUD which is a total of 115.62 acres with future land use designations that vary from LR-3 to High Residential, 12 units per acre (HR-12). The Rainberry PUD functions as a campus style development, with diverse uses at varying intensities including schools, daycares, congregate living facilities, administrative offices, recreation, housing, and nursing facilities. The zoning application is requesting to relocate and reduce square footage for approved assembly non profit institutional uses within the Pod and to increase the number of allowed CLF beds.

The subject site is surrounded by residential developments built with densities ranging from 3 to over 12 units per acre. The request represents an appropriate density increase that will allow a more efficient use within an approved project and will offer increased opportunities for independent and assisted living in the area. The request is compatible with the surrounding land uses and in character with the overall residential uses and densities in the vicinity. This amendment request is consistent with all applicable policies in the Comprehensive Plan including all level of service standards.

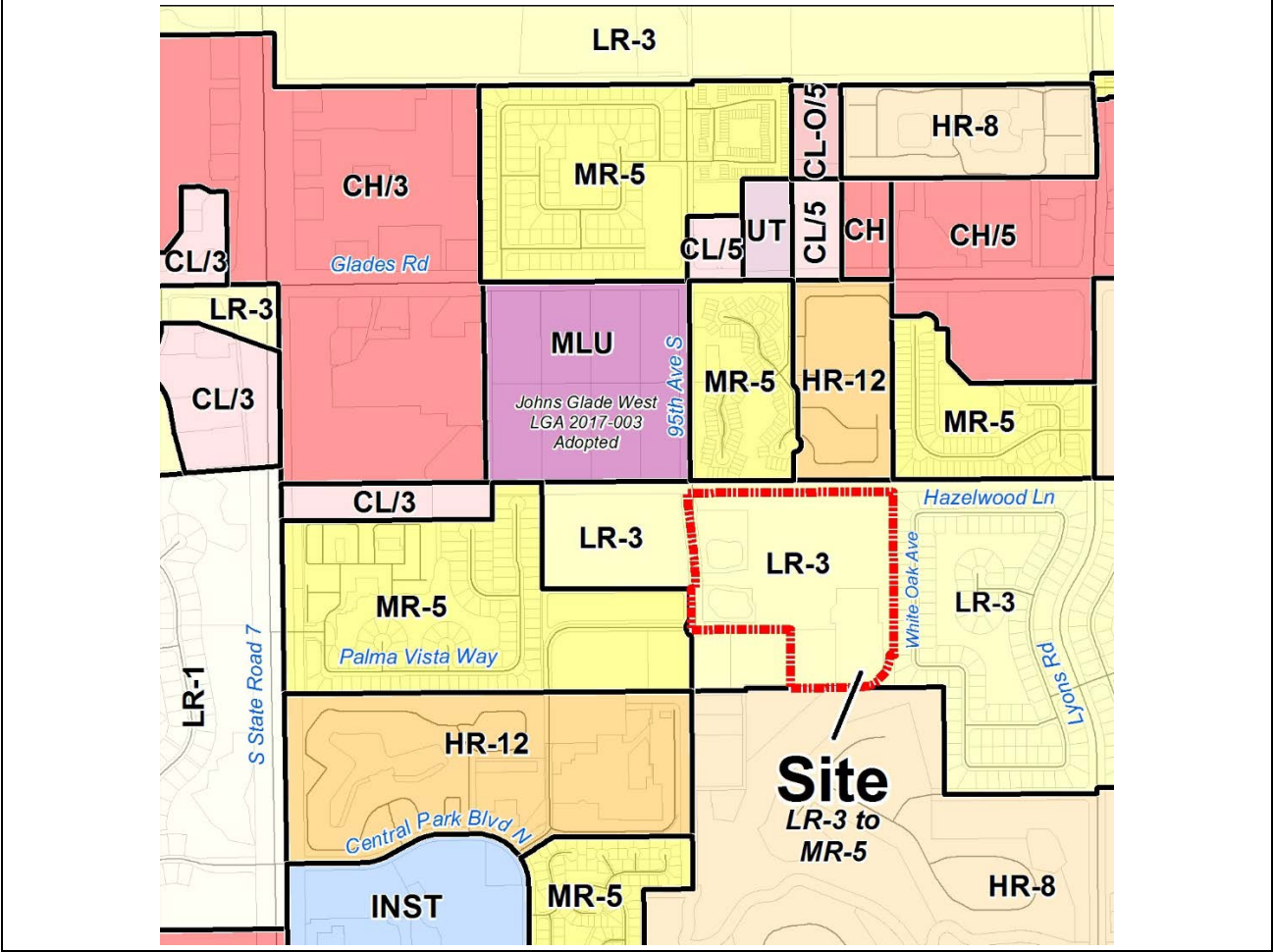
Therefore, staff recommends **approval with conditions**.

Exhibits	Page
1. Future Land Use Map & Legal Description	E-1
2. Applicant’s Justification/Consistency with Comprehensive Plan and Florida Statutes	E-3
3. Applicant’s Public Facility Impacts Table	E-16
4. Applicant’s Traffic Study ( <i>available to the LPA/BCC upon request</i> )	E-19
5. Palm Beach County Traffic Division Letter	E-20
6. Water & Wastewater Provider LOS Letter	E-21
7. Applicant’s Disclosure of Ownership Interests	E-22
8. Correspondence	E-34

Exhibit 1

Amendment No:	Rainberry PUD - Pod B (LGA 2018-009)
FLUA Page No:	114
Amendment:	From Low Residential, 3 units per acre, (LR-3) to Medium Residential, 5 units per acre (MR-5)
Location:	East side of 95th Avenue S, approximately .26 miles south of Glades Road
Size:	34.10 acres
PCN:	00-42-47-19-35-012-0000; 00-42-47-19-35-001-0010; 00-42-47-19-35-002-0010; 00-42-47-19-35-002-0020; 00-42-47-19-35-002-0030; 00-42-47-19-35-002-0040; 00-42-47-19-35-002-0050

**Conditions:** The density associated with the Medium Residential, 5 units per acre (MR5), future land use designation shall only be utilized for the development of a Congregate Living Facility (CLF). If developed residentially other than as a CLF, the density shall be limited to the Low Residential, 3 units per acre (LR-3) future land use designation.





## Legal Description

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All of Tracts A-1, B-1, L-1 and L-2 of RAINBERRY P.U.D., PODS A, B & C REPLAT NO. 1, according to the Plat thereof, as recorded in Plat Book 118, at Page 14 through 21 inclusive, of the Public Records of Palm Beach County, Florida.

Said lands contain 34.100 acres, more or less.

Exhibit 2

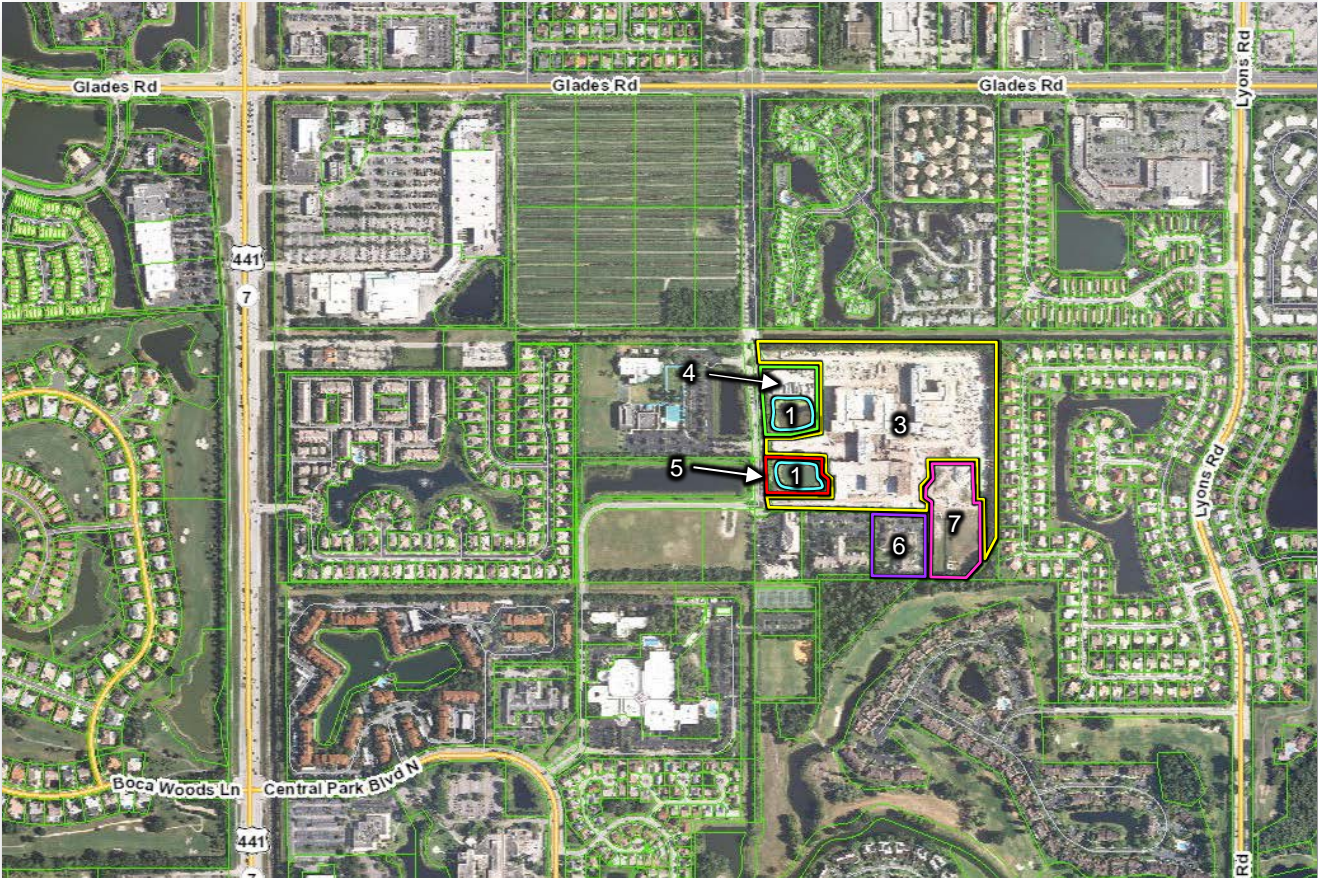
Applicant’s Justification Statement, Consistency, and Compatibility

I. INTRODUCTION

The subject site, known as “Rainberry PUD Pod B” is located on the east side of 95<sup>th</sup> Ave S, approximately 0.26 miles south of Glades Road. The 34.10 acre property is comprised of seven parcels identified by a Future Land Use (FLU) designation of LR-3 (Low Residential – 3 du/ac) and a Zoning designation of PUD (Planned Unit Development). The site’s property addresses and Property Control Numbers (PCNs) are as follows:

Map Key	PCN	ADDRESS	EXISTING FLU	PROPOSED	ZONING
1	00-42-47-19-35-012-0000	21010 95th Ave S	LR-3	MR-5	PUD
2	00-42-47-19-35-001-0010	21005 95th Ave S	LR-3	MR-5	PUD
3	00-42-47-19-35-002-0010	21036 95th Ave S	LR-3	MR-5	PUD
4	00-42-47-19-35-002-0020	21010 95th Ave S	LR-3	MR-5	PUD
5	00-42-47-19-35-002-0030	21130 95th Ave S	LR-3	MR-5	PUD
6	00-42-47-19-35-002-0040	21050 95th Ave S	LR-3	MR-5	PUD
7	00-42-47-19-35-002-0050	N/A	LR-3	MR-5	PUD

The following aerial corresponds to the information provided above and identifies each parcel that is subject to the FLUA Amendment request.



II. REQUEST

On behalf of the Applicant, WGI, is respectfully requesting a Future Land Use Atlas (FLUA) Amendment, in order to modify the FLU designation from LR-3 to MR-5 (Medium Residential – 5 du/ac) for the entirety of Pod B. The proposed MR-5 FLU designation will accommodate the expansion of the existing Type 3 Congregate Living Facility (CLF) located within Pod B.

III. CONDITION OF APPROVAL

The FLUA Amendment request includes a self-imposed Condition of Approval (COA) that limits the additional density associated with the proposed MR-5 FLU designation to a Type 3 CLF.

The proposed COA shall read as follows:

“The density associated with the Medium Residential, 5 units per acre (MR-5), future land use designation shall only be utilized for the development of a Congregate Living Facility (CLF). If developed residentially, other than as a CLF, the density shall be limited to that associated with the

Low Residential, 3 units per acre (LR-3) on the site.”

IV. COMPATIBILITY AND SURROUNDING USES

The subject site is located within Pod B of the Rainberry PUD. The overall Rainberry PUD is an approximately 115.62 acre site and is divided in six distinct Pods: Pods A, E and F are residential; while Pods B, C & D are of private civic and school use in nature. The Rainberry PUD is not subject to any overlay or neighborhood plan. Pod B has been approved for an Adult Daycare Facility (23,000 square feet; 90 adults; 20 employees), Type 3 CLF (538 beds), Nursing or Convalescent Facility (60 beds) and Assembly Nonprofit Institutional (78,984 square feet) uses. All of the uses within Pod B, with the exception of the Assembly Nonprofit Institutional uses have been constructed. The purpose of this FLUA Amendment request is to obtain additional density within Pod B, to expand the existing Type 3 CLF facility.

The surrounding uses vary and are found to be compatible with the proposed amendment. The site is near existing residential uses, and is bordered on the western property line by 95<sup>th</sup> Ave S. The following is a summary of the uses directly surrounding the subject site:

	FLU	Zoning District	Existing Use
North	MR-5, HR-12	RS,RM	Multi-Family Residential
South	LR-3	PUD	Multi-Family Residential, JARC Housing, Resource Center
East	LR-3, MR-5	RS	Single Family Residential
West	MR-5, LR-3 MLU (CH/HR-8)	PUD,RTS, MXPD	Weinbaum Yeshiva High School, Katz Hillel Day School of Boca Raton, Johns Glades West

- North:** Immediately north of the subject site is Multi-Family Residential which retains an unincorporated Palm Beach County FLU designation of MR-5 and HR-12 (High Residential– 12 du/ac) and a Zoning designation of RS (Single-Family Residential) District and RM (Multi-Family Residential) District.
- South:** Immediately south of the subject site is Multi-Family Residential, JARC Housing, and a Resource Center. The adjacent properties are a part of the Rainberry Pod A and retain an unincorporated Palm Beach County FLU designation of LR-3 with a Zoning designation of PUD.
- East:** East of the subject site are the Single-Family Residential developments of “Timbers of Boca” and “Pine Springs”. Timber of Boca retains an unincorporated Palm Beach County FLU designation of LR-3 with a Zoning designation of RS. Pine Springs retains a FLU designation of MR-5 with a Zoning designation of RS.
- West:** Immediately west of the subject site are the schools of Katz Hillel Day School of Boca Raton (herein referred to as Katz) and Weinbaum Yeshiva High School (herein referred to as Weinbaum). Katz is a part of Rainberry Pod A retains an unincorporated Palm Beach County FLU designation of LR-3 and a Zoning designation of RTS (Residential Transitional Suburban) District. Weinbaum is a part of Ponte Verde PUD and retains an unincorporated Palm Beach County FLU designation of MR-5 and a Zoning designation of PUD. Further northwest the property known as Johns Glades West which recently obtained FLU designation of MLU (CH/HR-8) and a Zoning designation of MXPD (Mixed Use Planned Development) District.

The area immediately adjacent to the subject site is a mix of residential uses (to the north, south, and east) and nonresidential (to the west). The development pattern in the context of the larger planning area is more diverse, with higher density residential and commercial uses along Glades Road, and more intense nonresidential commercial uses clustered near intersections of Lyons Road and Glades Road. While there is an increase in residential density proposed on the subject site, this increase does not alter the character of the area, nor does it create any adverse impacts on adjacent communities. It remains compatible with the development patterns established within this area and accommodates for the continuation of services within the campus.

V. PROJECT HISTORY

The Rainberry PUD development has received numerous development approvals over the course of its history. A summary of the development approvals for the subject site and Rainberry PUD have been provided below.

CONTROL NO.	REQUEST	ACTION	DATE	RESOLUTION
1984-139	Rezoning, From AR (Agricultural Residential) District to RM (Residential Multiple Family) District (Medium Density)	Approved	02/19/1985	R-85-279
1984-139	Special Exception to allow a Planned Unit Development (PUD).	Approved	02/19/1985	R-85-280



1984-139	Rezoning from AR (Agricultural Residential) Zoning District, in part, and RM (Multiple Family Residential) Zoning District (Medium Density), in part, to RS (Single Family Residential) Zoning District, in Part, and RM (Multiple Family Residential) Zoning District (Medium Density)	Approved	04/25/1989	R-89-750
1984-139	Special Exception to amend and expand the Master Plan for the Rainberry Park PUD; to increase the acreage by five acres and to redesign the site.	Approved	04/25/1989	R-89-751
1984-139	Special Exception to amend the Master Plan for the Rainberry PUD to redesignate retirement housing as conventional housing and to extinguish a previously approved nursing care facility.	Approved	02/04/1992	R-92-183
1984-139	Development Agreement	Approved	10/28/1993	R-93-1358
1984-139	Development Order Amendment in the residential PUD to increase density (413 to 461 units) and to amend Condition E.3.8.	Approved	10/28/1993	R-93-1359
1984-139	Zoning Map Amendment from the Agricultural Residential (AR) zoning district to the Residential Transitional Suburban (RTS) zoning district.	Approved	09/28/1995	R-95-1321.13
1984-139	Development Order Amendment to the Rainberry West PUD to increase acreage (+53.5 acres) and allow 4 private schools, elementary & secondary, a Congregate Living Facility (CLF) - Type III and an adult day care facility (requested uses).	Approved	09/28/1995	R-95-1321.14
1984-139	Development Order Amendment (DOA) to increase building square footage (+60,000); decrease number of students (-116) and allow a 200 children day care center (requested use) in the Private Civic Pod (Pod C)	Approved	05/23/1996	R-96-0645
1984-139	Development Order Amendment to amend Master Plan; increase adult daycare square footage (+2,140) ; increase number of JARC units (+5) ; reduce high school students (-65); add assembly, nonprofit institutional (+15,360 sq. ft. and 97 JARC students).	Approved	12/02/1996	R-96-1953
1984-139	Development Order Amendment to modify/delete Conditions of Approval of Resolution R-96-1953; add 2 JARC unit; add building square footage.	Approved	01/07/1999	R-99-017
1984-139	Development Order Amendment to modify Condition of Approval.	Approved	03/22/2007	R-07-424
1984-139	Subdivision Variance to allow access points onto an ingress/egress easement for Pod B; and allow previously approved access points onto a major street.	Approved	07/01/2010	ZR-2010-007
1984-139	Type II Variance to allow reduction of the private civic pod lot frontage.	Approved	07/01/2010	ZR-2010-008
1984-139	Development Order Amendment to modify and delete Conditions of Approval (Engineering, Landscaping, Lighting, Building & Site Design and Use Limitations), add square footage and reconfigure the master plan and site plan in the PUD Zoning District.	Approved	07/22/2010	R-10-1172
1984-139	Requested Use to allow a Type III Congregate Living Facility, Nursing or Convalescent Facility and Assembly Non-Profit Institutional in the PUD Zoning District.	Approved	07/22/2010	R-10-1173
1984-139	Type II Variance to allow a reduction in the required number of parking spaces.	Approved	04/07/2011	ZR-11-006
1984-139	DOA to modify the Master Plan to reconfigure the Site Plans for Pods A and B to redesignate uses for Pod A; and to modify and delete Conditions of Approval.	Approved	05/24/2012	R-2012-0778

## VI. JUSTIFICATION FOR FUTURE LAND USE ATLAS AMENDMENT

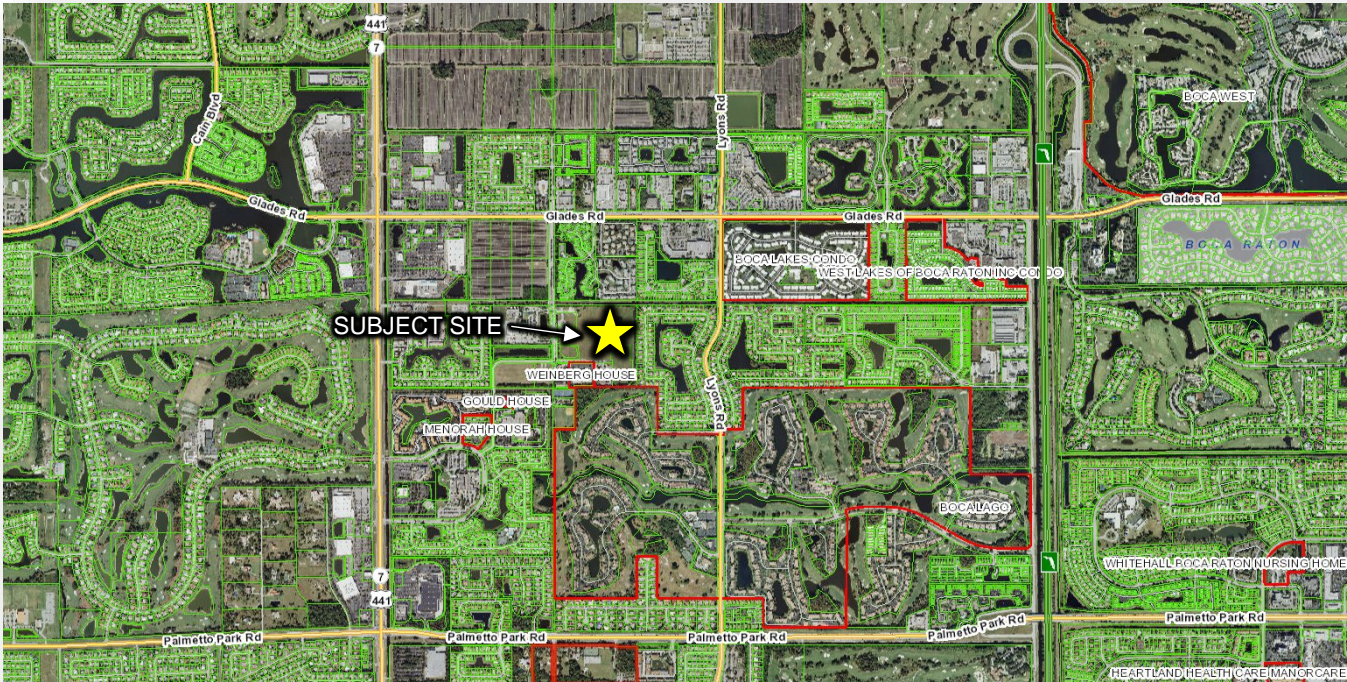
Over the course of the last several decades, the Urban Suburban Tier (herein referred to as the Tier), has experienced tremendous growth in both residential and nonresidential uses. The scarcity of large



tracts of land within the Tier encourages infill development within areas already surrounded by the built environment. The Future Land Use Element (FLUE) of the County's Comprehensive Plan promotes a balance of growth within the Tier, which they anticipate should accommodate 90% of the County's population. In an effort to address a growing population within an area that has seen much of the area built out, infill development opportunities are encouraged. The proposed request to modify the FLU designation to MR-5 for Pod B, in order to accommodate an expansion of the existing and successful Type 3 CLF, represents an opportunity to take advantage of existing services and infrastructure available within the Tier. The FLUA Amendment is necessary, as infill developments are usually higher in density and intensity in order to create opportunities for development to remain within urban and suburban areas, as opposed to development spreading and expanding into rural and agricultural areas; thus, relieving development pressure further west. The Applicant is redeveloping an underutilized portion of Pod B, by proposing an expansion of the existing Type 3 CLF. The subject site is a "pocket" of undeveloped land within the PUD that is an ideal location in which to expand the use. Expanding the existing use takes advantage of existing infrastructure and services, further promoting the County's infill objectives.

The Type 3 CLF currently in operation in Pod B offers a transitional approach to services, in the form of independent living, assisted living, skilled nursing and memory support. This type of development allows senior citizens to begin with one level of care and then transition as needed, commonly known as "aging in place". The demand for facilities that offer this exceptional level of care will only increase, as the County's population continues to age. The existing development pattern of the surrounding area demonstrates that there is a large concentration of senior citizens within a three mile radius of the subject site. The success of the existing facility within Pod B, coupled with the growing population in the direct vicinity, validate the need for additional services at this location.

The following aerial identifies senior communities in very close proximity to the subject site. Palm Beach County defines senior communities as developments that house a population of seniors where 75% or greater are aged 55 or over.



The subject site is bordered by the following senior communities, north to Yamato Road and south to Palmetto Park Road.

Senior Community	Approved Dwelling Units
Weinberg House	105 dwelling units
Gould House	101 dwelling units
Boca Lago	1,828 dwelling units
Boca Lakes Condo	448 dwelling units
Boca West	3,551 dwelling units
Total	6,033 dwelling units

There are 6,033 dwelling units identified within senior communities within approximately three miles of the subject site. The County's population conversion factor is 2.39 persons per dwelling unit. Converting the 6,033 dwelling units to population equates to 14,418 senior citizens within close proximity to the subject site. This high concentration of senior citizens does not represent the population in its entirety, as persons aged 55 and older reside in communities not designated as senior housing. This data supports the need for senior housing in this sector of PBC, as the area is home to a substantial senior population, creating a need for a diversity of housing choices and level of care.

It is not uncommon for land areas with FLU designations of varying densities and intensities to be situated in close proximity to one another. The Tier promotes infill development and redevelopment

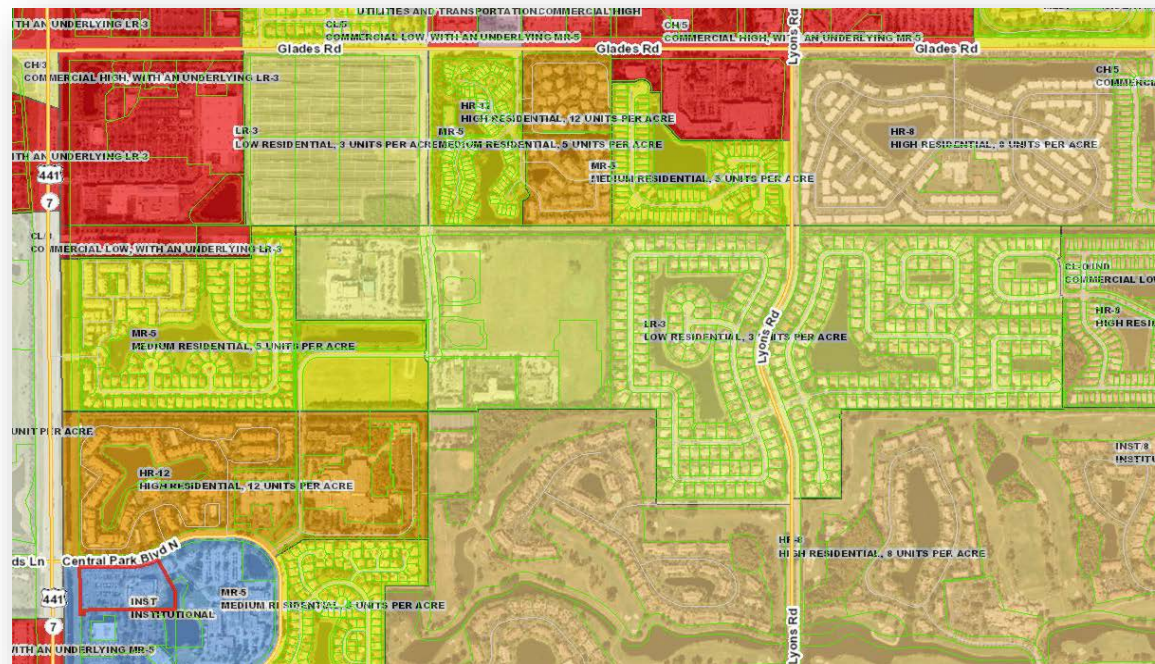


opportunities, which as previously stated, typically requires a higher density or intensity FLU designation. As these areas of underutilized land become developed, FLU designations are amended in order to meet the needs of the community. This creates a new development pattern that was not present at the time of the original adoption of the County’s Comprehensive e Plan and subsequent assignment of FLU designations. The Rainberry PUD is an example of a situation in which FLU designations of varying densities create a cohesive and compatible campus style development.

As depicted in the aerial below, the Rainberry PUD has FLU designations that vary from LR-3 to HR-12. The Rainberry PUD functions as a campus style development, with diverse uses at varying intensities. The campus has been in operation for decades and has not had any adverse impacts on adjacent communities. To the contrary, the campus offers critical services to residents of Palm Beach County.



The current mix of FLU designations within the PUD support the proposed FLUA Amendment within Pod B from LR-3 to MR-5, as the proposed density is not out of character with the existing development pattern. The increase in density for Pod B will be used to expand the existing Type 3 CLF, which has proven compatible with uses within the PUD and adjacent developments. Further, below is an aerial that identifies communities directly adjacent to the Rainberry PUD that also have varying FLU designations and have proven compatible with no adverse impacts.



**Compliance with Comprehensive Plan FLUE Policy 2.1-F**

The proposed FLUA Amendment must be found to be consistent with the Goals, Objectives and Policies of the Comprehensive Plan. Future Land Use Element Policy 2.1-f requires that adequate justification for the proposed FLU be provided. The proposed FLUA Amendment to modify the FLU

from LR-3 to MR-5 is in compliance with the requirements of the County's Comprehensive Plan, as outlined below.

**1. The proposed use is suitable and appropriate for the subject site; and**

*Response: The proposed use is suitable and appropriate for the subject site, as the proposed development is an expansion of the existing Type 3 CLF. The surrounding area consists of high and low residential uses, public and institutional uses and commercial expanding towards Glades Road. The proposed amendment supports diverse mix of uses that complement the campus and surrounding community.*

**2. There is a basis for the proposed FLU change for the particular subject site based upon one or more of the following:**

- **Changes in FLU designations on adjacent properties or properties in the immediate area and associated impacts on the subject site;**

*Response: The surrounding area consists of a mix of uses, including low residential, high residential, commercial uses, and public/institutional uses. The MR-5 FLU designation for the expansion of the Type 3 CLF will secure the objectives of the Urban Suburban Tier, by promoting infill development and housing opportunities, while ensuring no adverse impacts will occur as the result of this request. The recent change granted for John's Glades West to accommodate HR-8 reflects the value of infill sites to accommodate the County's projected population growth and housing demand. The request to MR-5 will accommodate a growing senior population on an infill site that has proven to be compatible with the surrounding community.*

- **Changes in the access or characteristics of the general area and associated impacts on the subject site;**

*Response: As stated above, there will be no impacts associated with the proposed FLUA amendment. The FLU change of LR-3 to MR-5 is to accommodate an expansion of the existing Type 3 CLF. There are no significant changes to the surrounding character of the community, the uses are compatible and the increase in density will be utilized specifically for the bed expansion of the Type 3 CLF.*

- **New information or change in circumstances which affect the subject site;**

*Response: Over the course of the last several decades, the Urban Suburban Tier has experienced tremendous growth in both residential and nonresidential uses. The scarcity of large tracts of land within the Tier encourages infill development within areas already surrounded by the built environment. In an effort to address a growing population within an area that has seen much of the area built out, infill development opportunities are encouraged. The FLUA Amendment to a FLU designation of MR-5 is necessary, as infill developments are usually higher in density and intensity in order to create opportunities for development to remain within urban and suburban areas, as opposed to development spreading and expanding into rural and agricultural areas; thus, relieving development pressure further west. The subject site is an area of undeveloped land within the PUD that is an ideal location in which to expand the use. Expanding the existing use takes advantage of existing infrastructure and services, further promoting the County's infill objectives. As these areas of underutilized land become developed, FLU designations are amended in order to meet the needs of the community. This creates a new development pattern that was not present at the time of the original adoption of the County's Comprehensive Plan and subsequent assignment of FLU designations. The Rainberry PUD is an example of a large land area within the Tier that has seen a change in circumstances and development pattern.*

- **Inappropriateness of the adopted FLU designation; or,**

*Response: As this area has developed over time with higher residential, institutional and nearby commercial uses, the existing FLU designation on the subject site is no longer appropriate. A change in FLU designation will provide the opportunity for the Type 3 CLF expansion and utilization of property within the Urban Suburban Tier where services, infrastructures, and capacity are in place to support the increase in CLF beds. The use itself remains appropriate as the proposed MR-5 FLU will only expand upon the existing Type 3 CLF.*

- **Whether the adopted FLU designation was assigned in error.**

*Response: The adopted LR-3 FLU designation is not assigned in error.*

**Compliance with Florida Statutes Chapter 163.3177**

Florida Statute, Chapter 163.3177 is the principle state statute governing the comprehensive plans and plan amendments for all of the Counties within the State of Florida. In 2011, Chapter 163, F.S. was substantially revised and Rule 9J-5 was repealed and removed from the Florida Administrative Code (House Bill 7207). Today, Chapter 163.3177(1) (f) states, "all mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government, that may include but not be limited to, surveys, studies, community



goals and vision, and other data available on that particular subject at the time of adoption of the plan or plan amendment at issue.”

*Response: The data and analysis presented in this application and justification statement support the request for amendment of the FLUA and demonstrate consistency with the Florida Statutes.*

**163.3177 – 6.a. Requires that a local government’s future land use plan element be based on a number of factors, including population projections, the character of undeveloped land, availability of public services and other planning objectives.**

*Response: The subject site grants of the opportunity to expand housing options and senior services within the County’s Urban/Suburban Tier. The progressive population will eventually need Type 3 CLFs, which offers housing options to the aging population in the area. The proposed FLUA amendment for the expansion of the Type 3 CLF will only accommodate the County’s growing population. The existing Type 3 CLF will remain utilizing its existing PBC services and provides for the efficient and effective use of public services for our communities’ current senior care needs.*

Consistency with Directives, Goals, Objectives, and Policies of the PBC Comprehensive Plan  
The Future Land Use Element (FLUE) of the Comprehensive Plan establishes the framework for future development within Unincorporated Palm Beach County and includes Goals, Objectives and Policies which guide this future growth. Section I.C of the FLU Element also establishes County Directions which reflect the type of community residents wish to see within Palm Beach County. The Directions particularly relevant to this application include:

- Livable Communities;
- Growth Management;
- Infill Development;
- Land Use Compatibility;
- Neighborhood Integrity; and
- Housing Opportunity.

Response: The following analysis demonstrates the proposal's consistency with the relevant Goals, Objectives and Policies of the Future Land Use Element of the Plan, as demonstrated throughout this report. Additionally, the proposed FLUA Amendments to MR-5 are consistent with infill development characteristics and the general development pattern of the surrounding area.

#### **Consistency with the PBC Future Land Use Element**

Goals – The proposed FLUA Amendment furthers the County’s goals as further described below.

- **Land Planning** – “It is the GOAL of Palm Beach County to create and maintain livable communities, promote the quality of life, provide for a distribution of land uses of various types, and at a range of densities and intensities, and to balance the physical, social, cultural, environmental and economic needs of the current and projected residents and visitor populations. This shall be accomplished in a manner that protects and improves the quality of the natural and manmade environment, respects and maintains a diversity of lifestyle choices, and provides for the timely, cost-effective provision of public facilities and services.”

*Response: The proposed expansion of the Type 3 CLF follows the goal of Palm Beach County to create and maintain livable communities. The proposed FLUA amendment will not change the existing use of the Type 3 CLF, therefore it maintains the balance of uses and housing opportunities in the area. Adding density for the Type 3 CLF expansion will help to maintain the balance between the largely aging residential west Boca communities and provide services to local residents who do not want to relocate for the area. The use itself, promotes the quality life as it reflects housing the aging population within the Urban Suburban Tier.*

Objectives – The proposed FLUA Amendment furthers the County’s objectives as further described below.

- **Objective 1.2 Urban/Suburban Tier – Urban Service Area**  
**General:** “This tier is expected to accommodate the bulk of the population and its need for employment, goods and services, cultural opportunities, and recreation. It supports a variety of lifestyle choices, ranging from urban to residential estate; however, the predominant development form in the unincorporated area is suburban in character. The older, communities are primarily in municipalities, within approximately 2 miles of the Atlantic Ocean. Most of the neighborhoods within the tier are stable and support viable communities. However, due to the period in which many of the coastal communities were built and the County’s efforts to keep pace with rapid growth in its western area, some of the eastern areas did not receive a full complement of urban services. If the County is to meet its primary goal to create and maintain livable communities, balance growth throughout the County, protect natural resources and provide a variety of lifestyle choices beyond the long term planning horizon, it is imperative that land, services and facilities be used efficiently and effectively.”



*Response: This request is consistent with this Objective as MR-5 is permitted within the Urban Suburban Tier. A change in FLU designation will offer the opportunity to develop the site appropriately, given the surrounding characteristics and location in the urban service area.*

**Objective:** “Palm Beach County shall plan to accommodate approximately 90% of the County’s existing and projected population through the long-range planning horizon within the Urban/Suburban Tier. The Urban/Suburban Tier shall include all land within the Urban Service Area, as depicted on the Service Areas Map in the Map Series. These areas have a development pattern generally characterized as urban or suburban, considering the intensity and/or density of development. The Urban/Suburban Tier shall be afforded urban levels of service.”

*Response: The Urban Suburban Tier is to accommodate an array of land uses and development patterns, providing a land use pattern that situates higher intensity uses (such as commercial and high residential) near intersections and along major roadways, and lower density (such as single-family residential) to the interior creating a flow in development intensities that transitions from high to low.*

*Thus, the proposed amendment is consistent with the above Objective. The proposed FLUA Amendment will provide additional housing with appropriate density among the surrounding uses.*

- **Objective 2.1 Balanced Growth** – “Palm Beach County shall designate on the Future Land Use Atlas sufficient land area in each land use designation to manage and direct future development to appropriate locations to achieve balanced growth. This shall be done to plan for population growth and its need for services, employment opportunities, and recreation and open space, while providing for the continuation of agriculture and the protection of the environment and natural resources through the long-range planning horizon.”

*Response: The proposed FLUA Amendment will allow for the development of needed alternatives in housing types, while protecting the environment and utilizing existing infrastructure. The proposed use offers the opportunity for populations within the area to be adequately served by providing additional beds for the existing Type 3 CLF.*

- **Objective 2.2 Future Land Use Provisions – General** – “Palm Beach County shall ensure development is consistent with the County’s diverse character and future land use designations. All public and private activities concerning the use, development and redevelopment of a property, and the provision of facilities and services shall be consistent with the property’s future land use designation, and the applicable Goals, Objectives and Policies of this Element.”

*Response: The proposed FLUA Amendment is consistent with the County’s diverse character and future land use designations as the proposed use will offer additional housing to the existing Type 3 CLF and create a transition between higher and lower intense uses. Furthermore, as demonstrated within this section, the proposed amendment is consistent with the applicable Goals, Objectives and Policies of the Future Land Use Element of the Comprehensive Plan.*

- **Objective 3.1 Service Areas - General** – “Palm Beach County shall establish graduated service areas to distinguish the levels and types of services needed within a Tier, consistent with sustaining the characteristics of the Tier. These characteristics shall be based on the land development pattern of the community and services needed to protect the health, safety and welfare of residents and visitors; and, the need to provide cost effective services based on the existing or future land uses.”

*Response: The subject site is located near all of the necessary urban services including, but not limited to, the roadway network, water/wastewater and drainage facilities, mass transit, opportunities, etc. The proposed expansion of the Type 3 CLF currently utilizes the existing urban services within the area. Furthermore, the proposed use will provide additional services to the community to help protect the health, safety and welfare of its residents and minimizes pressure of urban sprawl by utilizing an infill site to its highest and best use.*

**Policies** – The proposed FLUA Amendment furthers the County’s policies as further described below.

- **Policy 1.2-a:** “Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:
  1. Allowing services and facilities consistent with the needs of urban and suburban development;
  2. Providing for affordable housing and employment opportunities;
  3. Providing for open space and recreational opportunities;
  4. Protecting historic, and cultural resources;
  5. Preserving and enhancing natural resources and environmental systems; and,
  6. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.”

*Response: The proposed FLUA Amendment is consistent with this policy as it is appropriate for the site. The subject site is located within the Urban Suburban Tier, which encourages a variety of lifestyle living choices, ranging from urban to residential estate. The MR-5 designation will create an opportunity to support the counties' aging population growth, while still being compatible with the scale, mass, intensity of use, height, and character of the existing uses and traffic intensities.*

- **Policy 1.2-b:** Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.

*Response: The proposed MR-5 FLU amendment bestows on the contingency to allow the expansion of the Type 3 CLF, as it supports the counties' encouragement for infill and development in the urban service area.*

- **Policy 2.1-a:** "Future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area and shall also not underutilize the existing or planned capacities of urban services."

*Response: The applicant requests the FLUA amendment from LR-3 to MR-5 for the expansion of the existing Type 3 CLF. This proposal understands the value to not underutilize the existing and planned capabilities of urban services in responds to the density and intensity assignments, as well as the cap of the natural or manmade constraints of subject area. The MR-5 designation will allow for the appropriate density to properly utilize this infill opportunity.*

- **Policy 2.1-f:** Before approval of a future land use amendment, the applicant shall provide an adequate justification for the proposed future land use and for residential density increases demonstrate that the current land use is inappropriate. In addition, and the County shall review and make a determination that the proposed future land use is compatible with existing and planned development in the immediate vicinity and shall evaluate its impacts on: 1. The natural environment, including topography, soils and other natural resources; 2. The availability of facilities and services; 3. The adjacent and surrounding development; 4. The future land use balance; 5. The prevention of urban sprawl as defined by 163.3164(51), F.S.; 6. Community Plans and/or Planning Area Special Studies recognized by the Board of County Commissioners; and 7. Municipalities in accordance with Intergovernmental Coordination Element Objective 1.1.

*Response: Prior to the future land use amendment, the subject site was approved as a Type 3 CLF and already meets the given criteria as PBC approval indicates otherwise. The proposed MR-5 FLU amendment for the expansion of the exiting Type 3 CLF will only enhance the current use and undergo the same evaluation as prior.*

- **Policy 2.1-g:** "The County shall use the County Directions in the Introduction of the Future Land Use Element to guide decisions to update the Future Land Use Atlas, provide for a distribution of future land uses in the unincorporated area that will accommodate the future population of Palm Beach County, and provide an adequate amount of conveniently located facilities and services while maintaining the diversity of lifestyles in the County."

*Response: The proposed FLUA Amendment is consistent with the County's diverse character and future land use designations. As demonstrated within this section, the proposed amendment is consistent with the applicable Goals, Objectives and Policies of the Future Land Use Element of the Comprehensive Plan.*

- **Policy 2.1-h:** "The County shall not approve site specific FLUA Amendments that encourage piecemeal development."

*Response: The subject site is surrounded by existing residential, public/institutional, and nearby commercial developments, as such, the proposed amendment does not encourage piecemeal development, nor does it create residual parcels.*

- **Policy 2.4-b:** "The Transfer of Development Rights (TDR) Program is the required method for increasing density within the County, unless:

1. An applicant can both justify and demonstrate a need for a Future Land Use Atlas (FLUA) Amendment and demonstrate that the current FLUA designation is inappropriate, as outlined in the Introduction and Administration Element of the Comprehensive Plan, or

*Response: The Applicant is proposing a COA limiting the additional density received under the FLUA Amendment to beds within a Type 3 CLF, therefore the requirement to utilize TDR's does not apply.*

2. An applicant is using the Workforce Housing Program or the Affordable Housing Program as outlined in Housing Element Objectives 1.1 and 1.5 of the Comprehensive Plan and within the ULDC, or

*Response: The Applicant is proposing a COA limiting the additional density received under the FLUA Amendment to beds within a Type 3 CLF, therefore the WHP is not being utilized.*

**Conclusion**

The requested FLUA Amendment from LR-3 to MR-5 is justified and consistent with the Palm Beach County Comprehensive Plan, State of Florida laws, and is compatible with surrounding uses. The subject site in an ideal location in which to promote infill development. Through the Zoning application, design considerations and conditions of approval will be utilized to ensure proper buffering.

On behalf of the applicant, WGI, respectfully requests approval of this request to amend the FLUA designation on the subject site.

**Exhibit 3**  
**Applicant's Public Facilities Table**

**VIII. Public Facilities Information**

A. Traffic Information			
	Current FLU	Maximum	Conditioned or Concurrent
Max Trip Generation	1,020	1,710	N/A
Trip Increase Max.	690		
Trip Inc. Conditioned or Concurrent	N/A		
Significantly impacted roadway segments that fail Long Range	N/A	None	N/A
Significantly impacted roadway segments for Test 2	N/A	None	N/A
Traffic Consultant	Dr. Juan F. Ortega, P. E. - WGI		
B. Mass Transit Information			
Nearest Palm Tran Route (s)	Route Name: BCR X-TOWN via GLADES Route Number: 91		
Nearest Palm Tran Stop	Bus Stop Name: 95 <sup>TH</sup> AVE S @ COLEM BLVD Bus Stop Number:8389 Sop Distance: Adjacent to Subject Site along 95 <sup>th</sup> Ave		
Nearest Tri Rail Connection	Boca Raton Station via Route 91 and 94		
C. Portable Water & Wastewater Information			
Please refer to <b>Application Attachment I, Potable Water &amp; Wastewater Level of Service (LOS) Comment Letter</b> , which states that the provider of potable water and wastewater is able to maintain their current level of service standard established by the potable water provider while accommodating the increase of density of the proposed amendment.			
Potable Water & Wastewater Providers	PBCWUD		
Nearest Water & Wastewater Facility, type/size	The nearest potable water is a 12” watermain located within 95 <sup>th</sup> Avenue and an 8” watermain located within Ruth and Baron Coleman Blvd. There is an existing gravity sewer within Ruth and Baron Coleman Blvd. Upgrades to the existing lift station may be required.		
D. Drainage Information			
The site presently drains by means of inlets, culverts and lakes, receives pretreatment utilizing exfiltration trenches, and provides water quality storage and flood attenuation within the existing lakes. The development discharges south through existing culverts within Pod D to the existing control structure at the LWDD L-47 Canal-the point of legal positive outfall. Phase 2 development will extend the existing infrastructure and surface water management system and continue to drain to legal positive outfall as described above. Inlets, pipes, exfiltration trenches and ponds will be constructed to provide water quality storage, flood attenuation and pre-treatment as required. Calculations will be submitted to demonstrate Palm Beach County Land Development, SFWMD and LWDD requirements are met. Easements will be granted, as needed, to provide conveyance and storage rights. <b>Drainage Statement as Application Attachment J.</b>			

<b>E. Fire Rescue</b>	
<b>Nearest Station</b>	The subject site is served currently by PBC Fire-Rescue station #57, which is located on 9030 Vista Del Lago, Boca Raton.
<b>Distance to Site</b>	The subject site is approximately 2.50 miles from the station.
<b>Response Time</b>	The estimated response time to the subject site is 7 minutes 30 seconds.
<b>Effect on Resp. Time</b>	For fiscal year 2016, the average response time (call received to on scene) for this station zone is 6:50. The amendment of this property will have some impact on Fire Rescue. <b>Application Attachment K.</b>
<b>F. Environmental</b>	
<b>Significant habitats or species</b>	No significant habitat occurs on the assessed parcel. No state or federal listed plant or animal species were located within the assessment area. <b>Application Attachment L.</b>
<b>Flood Zone*</b>	AO
<b>Wellfield Zone*</b>	The subject site is located within zone of influence number four in PBC. <b>Application Attachment M.</b>
<i>* If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.</i>	
<b>G. Historic Resources</b>	
Staff review of the County's map of known archaeological sites has identified no known archaeological resources located on or within 500 feet of the subject site. Comment Letter as <b>Application Attachment N.</b>	

H. Parks and Recreation - Residential Only				
Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Burt Aaronson South County Reginal Park	0.00339	+166	.56
Beach	South Inlet Park	0.00035	+166	.06
District	Logger’s Run Park	0.00138	+166	.23
I. Libraries - Residential Only				
Library Name	Glades Road Branch			
Address	20701 95 <sup>th</sup> Avenue South			
City, State, Zip	Boca Raton, FL 33434			
Distance	Approximately .5 Miles			
Component	Level of Service		Population Change	Change in Demand
Collection	2 holdings per person		+166	332 holdings
Periodicals	5 subscriptions per 1,000 persons		+166	0.83 subscriptions
Info Technology	\$1.00 per person		+166	\$166.00
Professional staff	1 FTE per 7,500 persons		+166	0.02 FTE
All other staff	3.35 FTE per professional librarian		+166	0.07 FTE
Library facilities	0.34 sf per person		+166	56.44 SF
J. Public Schools - Residential Only				
	Elementary	Middle	High	
Name	Sandpiper Shores	Loggers Run Community	Olympic Heights Community	
Address	11201 Glades Road	11584 W. Palmetto Park Road	20101 Lyons Road	
City, State, Zip	Boca Raton, FL 33498	Boca Raton, FL 33428	Boca Raton, FL 33434	
Distance	Approximately 2.2 miles	Approximately 3.1 miles	Approximately 1.5 miles	



## **Exhibit 4**

### **Traffic Study**

---

Traffic studies and other additional supplementary materials for site-specific amendments are available to the public on the PBC Planning web page at:

<http://www.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

## Exhibit 5 Traffic Division Letter



**Department of Engineering  
and Public Works**  
P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbcgov.com

**Palm Beach County  
Board of County  
Commissioners**

Paulette Burdick, Mayor  
Melissa McKinlay, Vice Mayor

Hal R. Valeche

Dave Kerner

Steven L. Abrams

Mary Lou Berger

Mack Bernard

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

August 3, 2017

Dr. Juan F. Ortega, P.E.  
Wantman Group, Inc.  
2035 Vista Parkway  
West Palm Beach, FL 33411

**RE: Round 2018-B  
Sinai Residences Phase II (aka Rainberry PUD Pod B)  
Policy 3.5-d Review**

Dear Dr. Ortega:

Palm Beach County Traffic Division has reviewed the traffic study for the proposed Future Land Use Amendment for the above referenced project, revised July 31, 2017, pursuant to Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan. The project is summarized as follows:

<b>Location:</b>	SE corner of Glades Road and SR-7
<b>PCN #:</b>	00-42-47-19-35-012-0000; 00-42-47-19-35-001-0010; 00-42-47-19-35-002-0010; -0020; -0030; -0040; -0050
<b>Size:</b>	34.10 acres
<b>Existing FLU:</b>	Low Residential, 3 dwelling units per acre (LR-3)
<b>Existing Zoning:</b>	Planned Unit Development (PUD)
<b>Existing Use:</b>	Congregated Living Facility; Adult Daycare; Nursing or Convalescent Facility; Assembly; Nonprofit Institutional
<b>Existing Max Potential:</b>	Single Family Detached = 102 Dwelling Units
<b>Proposed FLU:</b>	Medium residential, 5 dwelling units per acre (MR-5) (Pod B)
<b>Prop. Zoning:</b>	Planned Unit Development (PUD)
<b>Proposed Use:</b>	Expansion of Type III CLF
<b>Existing Dev. Potential:</b>	Single Family Detached = 102 DUs
<b>Prop. Max Potential:</b>	Single Family Detached = 171 DUs
<b>Approved Development:</b>	Congregate Care Facility = 538 DUs Assisted Living Facility = 60 Beds Recreational Community Center = 33,984 SF Day Care = 90 Students General Office = 45,000 SF
<b>Net Daily Trips (Existing):</b>	1,020
<b>Net Daily Trips (Max):</b>	1710
<b>Net Daily Trips (App.):</b>	3,097
<b>Net PH Trips (Existing):</b>	77 (19/58) AM, 107 (67/40) PM
<b>Net PH Trips (Max):</b>	128 (32/96) AM, 170 (107/63) PM
<b>Net PH Trips (App.):</b>	235 (168/67) AM, 285 (124/161) PM

Based on the review, the Traffic Division has determined that the proposed amendment, at maximum potential, will generate less trips as compared to that of the approved development. Therefore, it meets Policy 3.5-d of the Land Use Element of the Palm Beach County Comprehensive Plan at the maximum potential density shown above.

**Exhibit 6**  
**Water & Wastewater Provider LOS Letter**

---



**Water Utilities Department  
Engineering**

8100 Forest Hill Blvd.  
West Palm Beach, FL 33413  
(561) 493-6000  
Fax: (561) 493-6113  
www.pbcwater.com



**Palm Beach County  
Board of County  
Commissioners**

Paulette Burdick, Mayor  
Melissa McKinlay, Vice Mayor  
  
Hal R. Valeche  
Dave Kerner  
Steven L. Abrams  
Mary Lou Berger  
Mack Bernard

**County Administrator**

Verdenia C. Baker

July 27, 2017

WGI  
2035 Vista Parkway  
West Palm Beach, Fl. 33411

RE: Rainberry PUD Pod B PCN's:00-42-47-19-35-012-0000;00-42-47-19-35-001-0010;00-42-47-19-35-002-0010;00-42-47-19-35-002-0020;00-42-47-19-35-002-0030; 00-42-47-19-35-002-0040;00-42-47-19-35-002-0050  
Service Availability Letter

Dear Ms. Libes,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. PBCWUD has the capacity to provide the level of service required for the existing FLU designation of LR-3 and the proposed FLU designation of MR-5.

The nearest potable water is a 12" watermain located within 95<sup>th</sup> Avenue and an 8" watermain located within Ruth and Baron Coleman Blvd. There is an existing gravity sewer within Ruth and Baron Coleman Blvd. Upgrades to the existing lift station may be required.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD.

If you have any questions, please give me a call at (561)493-6116.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackie Michels".

Jackie Michels, P.E,  
Plan Review Manager

FORM # 08

**[TO BE COMPLETED AND EXECUTED ONLY WHEN THE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY]**

BEFORE ME, the undersigned authority, this day personally appeared Mel Lowell, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

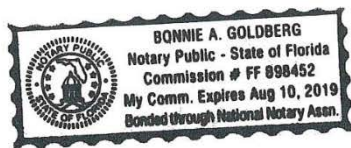
- Disclosure of Beneficial Interest - Applicant form  
Page 1 of 4

Revised 08/25/2011  
Web Format 2011

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_, Affiant  
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of July, 2017, by Mel Lowell, who is personally known to me or [ ] who has produced \_\_\_\_\_ as identification and who did take an oath.



  
Notary Public

Bonnie A Goldberg  
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 8/10/2019



**EXHIBIT "A"**  
**PROPERTY**

RAINBERRY PUD A,B & C REPL NO 1 TRB-1 (LESSSLY 419.98 FT OF NLY 539.44 FT OF WLY 330.31 FT, SLY 240.57 FT ON NLY

Disclosure of Beneficial Interest - Applicant form  
Page 3 of 4

Revised 08/25/2011  
Web Format 2011

**EXHIBIT "B"**

### DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name

**Address**

Federation CCRC Operations Corp.      9901 Donna Klein Boulevard, Boca Raton, FL 33428

Disclosure of Beneficial Interest - Applicant form  
Page 4 of 4

Revised 08/25/2011  
Web Format 2011

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

*[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]*

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE


STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Mel Lowell, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- 1. Affiant is the [ ] individual or [x] Secretary Federation CCRC Operations Corp. [position - e.g., president, partner, trustee] of Federation CCRC Operations Corp. [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
- 2. Affiant's address is: 9901 Donna Klein Boulevard  
Boca Raton, FL 33428
- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- 6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

  
Mel Lowell II, Affiant  
 (Print Affiant Name)

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July, 2017, by Mel Lowell, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification and who did take an oath.

  
 Notary Public

Bonnie A. Goldberg  
 (Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: August 10, 2019



**EXHIBIT "A"**

**PROPERTY**

RAINBERRY PUD PODS A, B & C REPL NO 1 TR B-1 (LESS SLY 419.98 FT OF NLY 539.44 FT OF WLY 330.31 FT, SLY 240.57 FT OF NLY

Disclosure of Beneficial Interest - Ownership form  
Page 3 of 4

Revised 08/25/2011  
Web Format 2011



**EXHIBIT "B"**

**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

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Name	Address
Federation CCRC Operations Corp	9901 Donna Klein Boulevard, Boca Raton, FL 33428

**[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION  
FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]**

STATE OF FLORIDA  
COUNTY OF PALM BEACH

1. Affiant is the ☐ individual or ☒ COO [position - e.g., president, partner, trustee] of Jewish Community Facilities Corp. [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

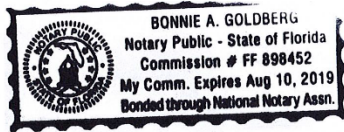
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

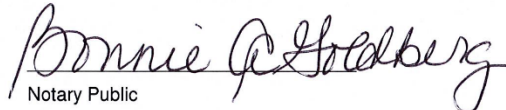
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

  
Mel Lowell, Affiant  
 (Print Affiant Name)

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July, 2017, by Mel Lowell, ☒ who is personally known to me or ☐ who has produced \_\_\_\_\_ as identification and who did take an oath.



  
 Notary Public

Bonnie A. Goldberg  
 (Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires August 10, 2019

**EXHIBIT "A"**  
**PROPERTY**

RAINBERRY PUD PODS A, B & C REPL NO 1 SLY 665.30 FT OF WLY 340.70 FT OF ELY 415.70 FT OF TR B-1

AND

RAINBERRY PUD PODS A, B & C REPL NO 1 S 395 FT OF W 300 FT OF ELY 715.70 FT OF TR B-1

AND

RAINBERRY PUD PODS A, B & C REPL NO 1 TRS L-1 & L-2 K/A STORMWATER MGMT

AND

RAINBERRY PUD PODS A, B & C REPL NO 1 SLY 419.98 FT OF NLY 539.44 FT OF WLY 330.31 FT OF TR B-1 (LESS TR L-1)

AND

RAINBERRY PUD PODS A, B & C REPL NO 1 SLY 240.57 FT OF NLY 865.15 FT OF WLY 345.89 FT OF TR B-1 (LESS L-2)

AND

RAINBERRY PUD PODS A, B & C REPL NO 1 TR A-1 K/A PRIVATE ST



**EXHIBIT "B"**

**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
Jewish Community Facilities Corp.	9901 Donna Klein Blvd. Boca Raton, FL 33428

Exhibit 8

Correspondence

---

Petition to oppose changes Rainberry PUD CLF Pod B (LGA 2018-2019)

We the Residents of the Timbers of Boca oppose the Land use change for the Rainberry PUD CLF Pod B (LGA 2018-2019) from (LR-3) to (MR5)

	Name	Address	Signature
1	James Hemphill	21154 White Oak Ave	
2	John Burton	21150 White Oak Ave, (John Burton)	
3	MARIE BURTON	21150 White Oak Ave	
4	JAMES HEMPHILL	21145 WHITE OAK AVE	
5	BONNIE HEMPHILL	21145 WHITE OAK AVE	Bonnie Hemphill
6	VO SON P	21161 White Oak Ave	
7	DENNIS DAGOSTA	21167 WHITE OAK AVE	
8	Thu Ngo	21171 White Oak Ave	
9	Jan P. Pineda	21177 White Oak Ave	
10	Jan P. Pineda	21181 White Oak Ave	
11	Randy Bollinger	21187 WHITE OAK AVE	RANDY BOLLINGER
12	BOCA C. VILLARD	21191 " " "	
13	Samuel B. B. B.	21201 White Oak Ave Boca	
14	Isabeli K. K.	21207 White Oak Ave	
15	Donna Corcoran	21214 White Oak Ave Donna Corcoran	
16	Donna Corcoran	21214 White Oak Ave Donna Corcoran	
17	Bob K. K.	21210 White Oak Ave Bob K.	
18	Chanelle R. R.	21180 White Oak Ave Boca Raton FL 33428	
19	OLIA DIAZ	21180 WHITEDAK AVE BOCA RATON FL 33428	
20	Antonio Diaz	21180 White Oak Avenue Boca Raton FL 33428	
21	FRANK DIAZ	21170 WHITE OAK AVE BOCA RATON FL 33428	
22	FRANK DIAZ	21170 White Oak Ave Boca Raton FL 33428	
23	Shannon Green	21144 White Oak Ave Shannon Green	
24	Toniela M. M.	21134 WHITE OAK - BOCA RATON - 33428	
25	Renata Cunha	21130 White Oak Ave - Boca Raton - 33428	
26	John P. P.	21114 White Oak Ave Boca Raton FL 33428	
27	Claudia L. L.	21110 White Oak Ave	
28	DIANE CREECH	21114 White Oak Ave Boca 33428	
29	N. N. N.	21104 White Oak Ave Boca Raton FL 33428	
30	Donela Silva	21104 White Oak Ave B.R. FL 33428	
31	Robert F. F.	21100 White Oak Ave Boca Raton FL 33428	
32	Robert F. F.	21094 White Oak Ave	
33	Craig W. W.	21074 Black Maple Lane Boca Raton FL 33428	
34	Jesse Wright	21070 Black Maple Ln Boca Raton FL	
35	Greene Wright	21070 Black Maple Ln Boca Raton FL	
36	August Wright	21070 Black Maple Ln Boca Raton FL	
37	Donna L. L.	21071 Black Maple Ln Boca Raton FL 33428	
38	Deborah Aras	21075 Black Maple Lane Boca Raton 33428	
39	John Aras	21075 Black Maple Lane Boca Raton 33428	
40	Anthony Jeter	21087 Black Maple Lane Boca Raton 33428	

Petition to oppose changes Rainberry PUD CLF Pod B (LGA 2018-2019)

We the Residents of the Timbers of Boca oppose the Land use change for the Rainberry PUD CLF Pod B (LGA 2018-2019) from (LR-3) to (MR5)

Name	Address	Signature
1 Rick Pope	2160 White Oak	[Signature]
2 MARIA STROMBERG	21160 WHITE OAK AVE.	[Signature]
3 [Signature]	21129 WHITE OAK AVE	MICHAEL K. MILLER
4 Bob Q. NGUYEN	21107 WHITE OAK AVE, BOCA RATON, FL 33428	
5 E. Tim Apostolov	9565 Red Oak Ln Boca 33428 E. Apostolov	
6 RICHARD NEURETH	9105 RED OAK LN BOCA 33428	[Signature]
7 CARMEN ELLIS	9045 RED OAK LANE BOCA 33428	[Signature]
8 Chata Malone	9100 RED OAK LANE, Boca Raton, 33428	
9 Barbara Mayapag	9100 Red Oak Lane, Boca Raton 33428	
10 Madeline V. [Signature]	9120 Red Oak Lane Boca Raton	
11 [Signature]	9160 RED OAK LANE	
12 [Signature]	21112 White Oak Ave	
13 Steve Milechman	21125 White Oak Ave	[Signature]
14 Diane S. Bryan	21174 White Oak Ave	
15 Regina Mamo	21204 White Oak Ave Boca 33428	
16 [Signature]	21197 White Oak Ave Boca 33428	
17 [Signature]	21224 Hazelwood Lane 33428	
18 [Signature]	21331 Chingberry 33428	
19 Lindsay Lynch	21264 Hazelwood Lane FL Boca Raton	
20 Nash [Signature]	" " " 33428	
21 Sylvia [Signature]	21260 Hazelwood Lane FL 33428	
22 Deborah Pong	21254 Hazelwood Lane Boca Raton FL 33428	
23 Erik Eng	21281 Hazelwood Lane Boca Raton 33428	
24 [Signature]	21271 HAZELWOOD LA 33428	
25 [Signature]	21262 Hazelwood Lane 33428	
26 John [Signature]	21257 HAZELWOOD LANE BOCA RATON.	
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October 10, 2018

Lisa Amara, Principal Planner  
Palm Beach County Planning Division  
2300 N Jog Rd  
West Palm Beach, FL 33411

[lamara@pbcgov.org](mailto:lamara@pbcgov.org)

Re: Rainberry PUD CLF Pod B (LGA 2018-009) Community Meetings Summary

Dear Lisa,

As you are aware, the Rainberry PUD CLF Pod B, Large Scale FLUA Amendment Application (LGA 2018-009) was postponed at the July 23, 2018 BCC transmittal hearing, in order to allow our team time to work with adjacent residents. Since the aforementioned transmittal hearing, the Applicant and development team have been working directly with the residential communities, to both the east (Timbers of Boca) and north (Boca Ridge). The following is a summary of the meeting dates and times (since the July 23, 2018 BCC transmittal hearing):

- July 16, 2018; 7:00 PM (Timbers of Boca)
- August 21, 2018; 12:30 PM (Boca Ridge)
- August 30, 2018; 7:00 PM (Timbers of Boca)
- September 20, 2018; 5:30 PM (Timbers of Boca)

Note that the dates and times provided above represent in person meetings. In addition, correspondence though phone calls and email has occurred throughout the process. The following information outlines the modifications to design that have been made, based on feedback from residents:

DESIGN ELEMENT	ORIGINAL PLAN	REVISED PLAN
Eastern Perimeter Parking	103 spaces	0 spaces
Eastern Landscape Buffer	54'	75'
Building Height	5-stories & 4-stories	All 4-stories
Service Yard Location	East side	West side

We look forward to continued dialogue with our neighbors as we move though the County's approval process.

I will keep you apprised of any new meetings or information. Should you have any questions, please don't hesitate to reach out to me directly. Thank you.

Sincerely,

WGI

Lindsay Libes, AICP  
Director, Planning

Cc: Brian Seymour  
Matt Levin  
Jason Jorgenson

From: Bob Rawson <bob.rawson@yahoo.com>  
Sent: Wednesday, January 23, 2019 5:27 PM  
To: Melissa Michael <MMichael@pbcgov.org>  
Cc: manakas1974@gmail.com; Mavis Rawson <schierlo@bellsouth.net>; manakas@gmail.com  
Subject: Re: Expansion

Correction: Timbers of Boca

Sent from my iPhone

> On Jan 23, 2019, at 5:06 PM, Bob Rawson <[bob.rawson@yahoo.com](mailto:bob.rawson@yahoo.com)> wrote:  
>  
> I Robert Rawson and my spouse Mavis Rawson of 21210 White Oak Avenue Boca Raton  
Florida 33428 are residents of Timers of Boca community and our property borders the  
Federation property. We are totally opposed to the expansion of the Federation Complex.  
>  
> Sincerely,  
>  
> Bob Rawson

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**From:** Andy Andersen <tightline49@gmail.com>  
**Sent:** Thursday, January 24, 2019 10:09 AM  
**To:** Melissa Michael <MMichael@pbcgov.org>  
**Subject:**

As a home owner in Timbers of Boca for \_\_35\_\_ years, I am opposed to the change in  
Rainberry PUD Pod B Future Land Use from Low Residential-3 to Medium Residential-  
5. Rainberry PUD Pod B is on the west property line of Timbers of Boca a community of single  
family homes. If the Future Land Use is changed there are plans to build a 48 ft./59 ft. high  
building with 254,718 square ft. close to the property line of Timbers of Boca homes.  
If a building of this size and height is built close to the property line, it will significantly decrease  
the value of all the homes located within Timbers of Boca.

Voting no will assist in limiting the size of the building that will be built.

**I am requesting that you vote NO on the Rainberry PUD Pod B change in Future Land Use at  
the Board of County Commissioners Transmittal Meeting on January 28, 2019.**

Folmer P Andersen  
Timbers of Boca Lot 96

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**From:** berner238@aol.com <berner238@aol.com>  
**Sent:** Thursday, January 24, 2019 8:33 PM  
**To:** Melissa Michael <MMichael@pbcgov.org>  
**Subject:** Rainberry PUD Pod B Future Land USe

Dear Melissa,

As a home owner in Timbers of Boca for 16 years, I am opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential – 3 to Medium Residential – 5. Rainberry PUD Pod B is on the west property line of Timbers of Boca, a community of single family homes. If the Future Land Use is changed there are plans to build a 48ft/59 ft. high building with 254,718 sq. ft close to the property line of the Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all the homes located within Timbers of Boca.

Voting NO will assist in limiting the size of the building that will be built.

I am requesting that you vote NO on the Rainberry PUD Pod B change in Future Land Use at the Board of County Commissioners Transmittal Meeting on January 28, 2019.

Thank you for your time and thoughtful consideration.

Best regards,

Beverly Cuyler

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**From:** ck cuyler jr <ckcuyler@gmail.com>  
**Sent:** Thursday, January 24, 2019 8:50 PM  
**To:** Melissa Michael <MMichael@pbcgov.org>  
**Subject:** Rainberry Future Land USe

Dear Melissa,

As a home owner in Timbers of Boca for 16 years, I am opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential – 3 to Medium Residential – 5. Rainberry PUD Pod B is on the west property line of Timbers of Boca, a community of single family homes. If the Future Land Use is changed there are plans to build a 48ft/59 ft. high building with 254,718 sq. ft close to the property line of the Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all the homes located within Timbers of Boca.

Voting NO will assist in limiting the size of the building that will be built.

I am requesting that you vote NO on the Rainberry PUD Pod B change in Future Land Use at the Board of County Commissioners Transmittal Meeting on January 28, 2019.

Thank you for your time and thoughtful consideration.

Best regards,

Carl Cuyler

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**From:** Eftim Apostolov <bocaparadise@gmail.com>  
**Sent:** Thursday, January 24, 2019 6:49 PM  
**To:** Melissa Michael <MMichael@pbcgov.org>  
**Subject:** Voting "No" on Rainberry PUD Pod B

Dear Melissa Michael,

As a home owner of Boca Raton for 23 years, I am opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential-3 to Medium Residential-5. Rainberry PUD Pod B is on the west property line of Timbers of Boca: a community of single family homes. If the Future Land Use is changed, there are plans to build a 48ft. / 59ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all the homes located within Timbers of Boca.

Voting no will assist in limiting the size of the building that will be built.

I am requesting that you vote NO on the Rainberry PUD Pod B change in Future Land Use at the Board of County Commissioners Transmittal Meeting on January 28, 2019.

Sincerely,

Eftim Apostolov

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**From:** Jack Seger <ijboca@aol.com>

**Sent:** Thursday, January 24, 2019 11:03 AM

**To:** Melissa Michael <MMichael@pbcgov.org>

**Subject:** Proposed change in Land Use for Rainberry PUD POD B

As a homeowner residing in The Timbers of Boca for the past 30 years, please be advised that I am **STRONGLY OPPOSED** to the change of land use in Rainberry PUD POD B from Low Residential-3 to Medium Residential-5.

Rainberry PUD POD B is on the west side of The Timbers of Boca property line. We are a single family community and are already dealing with the first set of structures at the Sinai Residences that already infringe on our property .

**If the future land use is changed there are plans to build a structure that can go as high as 59 ft. along with a building that can have approximately 250,000 square feet.** This structure will be abutting the property line of The Timbers of Boca and will be looking into the back yards and homes of our residents. That will cause our property values to fall considerably which we as a small family community cannot afford to have happen.

I plead with you, please vote **NO . Do not vote for this land change.**

Thank you,

Iris and Jack Seger

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**From:** Jeanette Kamciyan <jfk3a@yahoo.com>

**Sent:** Thursday, January 24, 2019 8:54 PM

**Subject:** Rainberry PUD Pod B Future Land Use

As a homeowner in Timbers of Boca for 36 years, I am opposed to the change in Rainberry PUD Pod B from Low Residential-3 to Medium Residential-5. Rainberry PUD Pod B is on the west property line of Timbers of Boca a community of single family homes. If the Future Land Use is changed there are plans to build a 48 ft./59 ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all the homes located within Timbers of Boca and adversely affect the traffic congestion and environmental impact for the West Boca Community at large.

Voting no will assist in limiting the size of the building that is built.

I AM REQUESTING THAT YOU VOTE "NO" ON THE RAINBERRY PUD POD B CHANGE IN FUTURE LAND USE AT THE BOARD OF COUNTY COMMISSIONERS TRANSMITTAL MEETING ON JANUARY 28, 2019.

Yours truly,

Jeanette F Kamciyan

[Sent from Yahoo Mail for iPhone](#)

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**From:** John Burton <click4jbi@yahoo.com>

**Sent:** Thursday, January 24, 2019 10:06 PM

**To:** Melissa Michael <MMichael@pbcgov.org>

**Subject:** Rainberry PUD, Pod B Future Land Use Change - Low Residential-3 to Medium Residential-5

Ms. Michael,

As homeowners in The Timbers of Boca for 33 years, we are opposed to the change in Rainberry PUD, Pod B Future Land Use from Low Residential-3 to Medium Residential-5. Rainberry PUD Pod B is on the west property line of The Timbers of Boca, a community of single family homes. If this proposed Future Land Use is approved - there are plans to construct a 254,718 square foot building 48 ft./59 ft. in height very close to the adjacent property lines of our homes.

If a building of this size and height is constructed at the proposed proximity to our community, a significant commensurate decrease in property values will impact each and every one of the 148 homes in The Timbers of Boca.

Your NO VOTE will assist in limiting the size and impact of the planned construction.

We are requesting you VOTE NO on the Rainberry PUD Pod B change in Future Land Use at The Board of County Commissioners Transmittal Meeting on January 28, 2019

Respectfully,

John S. Burton  
21150 White Oak Avenue  
Boca Raton, FL 33428.1715

Marie L. Burton

cc: Individual County Commissioners

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**From:** John Puleo <johnfop@aol.com>

**Sent:** Thursday, January 24, 2019 3:07 PM

**To:** Hal Valeche <HValeche@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; Dave Kerner M. <DKerner@pbcgov.org>; Robert Weinroth S. <RWeinroth@pbcgov.org>; MaryLou Berger <MBerger@pbcgov.org>; Melissa McKinlay <MMcKinlay@pbcgov.org>; Mack Bernard <MBernard@pbcgov.org>

**Cc:** Melissa Michael <MMichael@pbcgov.org>

**Subject:** Board of County Commissioners Transmittal Meeting - January 28, 2019

Honorable Commissioners.

As a home owner in the Timbers of Boca for 32 years, I am opposed to the change in Rainberry PUD Pod B future land use from Low Residential-3 to Medium Residential-5. Rainberry PUD Pod B is on the west property line of the Timbers of Boca, a community of single family homes. If the future land use is changed there are plans to build a 48/59 foot high building with 254,718 square feet. This will be very close to the property line of the Timbers of Boca.

If a building of that size and height is built close to the property line, it will significantly decrease the value of all the homes located within the Timbers. Voting NO will assist in limiting the size of the building that will be built.

**I am requesting that you vote NO on the Rainberry PUD B change in the future land use at the Board of County Commissioners Transmittal Meeting on January 28, 2019. Your support in a NO vote will be greatly appreciated.**

Sincerely,  
John Puleo  
21124 White Oak Avenue  
Boca Raton, Florida 33428  
(954) 444-4483

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**From:** Karen Andersen <andersen.karen47@gmail.com>

**Sent:** Thursday, January 24, 2019 10:12 PM

**To:** Melissa Michael <MMichael@pbcgov.org>; Hal Valeche <HValeche@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; Dave Kerner M. <DKerner@pbcgov.org>; Robert Weinroth S. <RWeinroth@pbcgov.org>; MaryLou Berger <MBerger@pbcgov.org>; Melissa McKinlay <MMcKinlay@pbcgov.org>; mbernard@pbcgov.or

**Subject:** Rainberry PUD Pot B change in Future Land Use at the Board of County Commissioners Transmittal Meeting January 28, 2019

As a home owner for 35 years in the Timbers of Boca, I am greatly opposed to the change in Rainberry PUD Pot B Future Lane Use from LOW residential 3 to Medium Residential 5. Rainberry PUD Pod B is on the west property line of my home, the Timbers of Boca, a single family home community of which my home is directly opposite this proposed site for building. As it is now the lights from the Jewish Federation center shine into my windows at night from the parking lot. As far as the Federation being "good neighbors" I have yet to see it. When one of our dogs escape into their property the guards wont even let us go in to retrieve them, and now this, where they want to build huge buildings even closer than ever and higher than ever to our community. It's a disgrace and disrespectful of a community that has been here long before they even thought of their buildings or anything else over there.

There is no reason, considering the amount of acreage that they have that they absolutely need to be constructing in this obscene manner so close to our community. They think of only their bottom line and all the money they will be making, they don't care about anyone in this community or any other except their own bottom line - money.

No one even mentions the environmental impact that the Federation has had in this area, no more animals, no more foxes roam, no more box turtles, no more anything except the Federation's disrespectful impact on my community, the significant decrease in my own property value because of their greed.

If the Future Land Use is changed there are plans to build a 48 ft./59 ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes. Voting NO will assist in limiting the size of the building that they want. We are not asking for a gift, we are asking for respect which they are devoid of.

Sincerely,

Karen Andersen  
21225 Hazelwood Lane  
Boca Raton, Florida 33428

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**From:** Mary Sullivan <bocasullivans@att.net>

**Sent:** Thursday, January 24, 2019 2:30 PM

**To:** Melissa Michael <MMichael@pbcgov.org>; MaryLou Berger <MBerger@pbcgov.org>; Hal

Valeche <HValeche@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; Robert Weinroth S. <RWeinroth@pbcgov.org>; Melissa McKinlay <MMcKinlay@pbcgov.org>; Mack Bernard <MBernard@pbcgov.org>

**Subject:** IMPORTANT!! URGENT!!! VOTE NO Please! Re: Sinai Residences Expansion

\*\*\*\*\*PLEASE VOTE NO on the Rainberry PUD Pod B change!!!!\*\*\*\*\*

Sinai Residences expansion should not be allowed to negatively affect me and other homeowners in The Timbers.

Your help in VOTING NO re: this situation is greatly appreciated.

Sincerely,  
The Sullivans

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From: Barbara Manakas <[manakas1974@gmail.com](mailto:manakas1974@gmail.com)>

Date: 1/23/19 4:23 PM (GMT-05:00)

To: [dice9999@hotmail.com](mailto:dice9999@hotmail.com)

Subject: Sinai Residences Expansion

Dear homeowner,

I know this is long, but please read.

It's very important and our community THE TIMBERS OF BOCA needs your help.

PLEASE PLEASE help and Please forward to your friends and neighbors in the Timbers.

Thank you,

Lois

#### **Urgent: Action requested NOW**

The Jewish Federation of South Palm Beach County plans to build a very large building approximately 100 feet from our Timbers of Boca homes. If a building of the planned size is built it will significantly decrease the value of all homes in the Timbers of Boca.

A vote is scheduled by the Palm Beach County Board of County Commissioners on January 28, 2019 to increase the density on the land where the building is planned. Increased density will allow the building of a very large 48ft/59ft building.

In order to prevent this very large building from being built closer to Timbers of Boca than the current Sinai Residences building, all the County Commissioners need to hear from you.

Please send all Palm Beach County Commissioners an email asking them to vote "NO" on the change in Future Land Use at the January 28, 2019 meeting by Friday January 25 at noon. The email also needs to be sent to Melissa Michael, Planning Division, Palm Beach County Department of Planning, Zoning and Building. Attached is a list of the county commissioners and their email addresses. Please send your email to all of them.

Melissa's email address is [MMichael@pbcgov.org](mailto:MMichael@pbcgov.org)

Below is a suggested email language for your convenience:

As a home owner in Timbers of Boca for \_\_\_\_\_ years, I am opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential-3 to Medium Residential-5. Rainberry PUD Pod B is on the west property line of Timbers of Boca a community of single family homes. If the Future Land Use is changed there are plans to build a 48 ft./59 ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all the homes located within Timbers of Boca.

Voting no will assist in limiting the size of the building that will be built.

**I am requesting that you vote NO on the Rainberry PUD Pod B change in Future Land Use at the Board of County Commissioners Transmittal Meeting on January 28, 2019.**

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From: Michelle Gallo <michellegallo2008@mac.com>  
Sent: Thursday, January 24, 2019 8:35 PM  
To: Hal Valeche <HValeche@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; Dave Kerner M. <DKerner@pbcgov.org>; Robert Weinroth S. <RWeinroth@pbcgov.org>; MaryLou Berger <MBerger@pbcgov.org>; Melissa McKinlay <MMcKinlay@pbcgov.org>; Mack Bernard <MBernard@pbcgov.org>; Melissa Michael <MMichael@pbcgov.org>  
Subject: Future land use of Rainberry PUD Pod B

As a home owner in the Timbers for 25 years, I am outraged and opposed to the change in Rainberry PUD Pod B future land use from low residential-3 to medium residential-5. Rainberry pod B is on the west property line of Timbers if Boca a community of single family homes. If the future land use is changed there are plan to build a 48ft/59ft high building with 254,718 square feet to close to the property line of Timbers of Boca homes. If a building of this size and height is built close to the property line it will significantly decrease the value of all homes located within Timbers of Boca.

Sandra McKinlay

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**From:** Robert Pineyro <robertpineyro@me.com>  
**Sent:** Thursday, January 24, 2019 8:38 PM  
**To:** Melissa Michael <MMichael@pbcgov.org>  
**Subject:** vote NO in meeting of PBC Commissioners for 1/28/2019

I live in Timbers of Boca for years and I am completely opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential - 3 to Medium Residential - 5. One of the many reasons I am opposed to this is the significant drop in price of the value of our homes in Timbers. A building of this size and of this height built so close to the property line will decrease the value of each of the homes.

I AM REQUESTING THAT YOU VOTE NO ON THE RAINBERRY PUD POD B CHANGE IN FUTURE LAND USE AT THE BOARD OF COUNTY COMMISSIONERS TRANSMITTAL MEETING ON JANUARY 28, 2019. Thank you for your time.

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**From:** carsbydinorah@aol.com <carsbydinorah@aol.com>  
**Sent:** Friday, January 25, 2019 9:26 AM  
**To:** Melissa Michael <MMichael@pbcgov.org>  
**Subject:** Rainberry PUD Pod B change

Dear Ms. Michael:

As a home owner in Timbers of Boca for 18 years, I am opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential-3 to Medium Residential-5. Rainberry PUD Pod B is on the west property line of Timbers of Boca, a community of single family homes. If the Future Land Use is changed, there are plans to build a 48ft./59 ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all the homes located within Timbers of Boca. Voting no will assist in limiting the size of the building that will be built!

I am requesting that you vote NO on the Rainberry PUD Pod B change in Future Land Use at the Board of County Commissioners Transmittal Meeting on January 28, 2019.

Sincerely,  
Dinorah Perez,  
Home Owner in Timbers of Boca  
**From:** Joanne Baker <joannedbaker123@gmail.com>  
**Sent:** Friday, January 25, 2019 12:20 AM

**To:** Melissa Michael <MMichael@pbcgov.org>

**Subject:** Rainberry PUD Pos B Future Land use

Dear Melissa Michael,

As a homeowner in Timbers of Boca for 3 years, I am opposed to the change in Rainberry PUD Pod B Future Land Use from Residential 3 to Medium Residential 5. Rainberry PUD Pos B is on the west property line on Timbers of Boca, a community of single family homes. If the Future Land Use is changed, there are plans to build a 48 ft/59ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all of the homes located within Timbers of Boca.

Voting NO will assist in limiting the size of the building that will be built.

I would like to request that you vote NO on the Rainberry PUD Pod 8 B change in Future Land Use at the Board of Commissioners Transmittal Meeting on January 28, 2019.

Best Regards,

Joanne Baker

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**From:** Lindsay Venidis <lindsayvenidis@me.com>

**Sent:** Friday, January 25, 2019 8:46 AM

**To:** Melissa Michael <MMichael@pbcgov.org>

**Subject:** Urgent Action Requested

Dear Mrs. Michael,

As a new home owner in Timbers of Boca for the last year, I am opposed to the change in Rainberry PUD Pod B Future Land Use From Low Residential- 3 to Medium Residential- 5. Rainberry PUD Pod B is on the west property line of Timbers of Boca, a community of single a family homes. If the Future Land Use is changed there are plans to build a 48ft/ 59ft building with 254,718 square ft. close to the property line of Timbers of Boca homes.

If a building of this size and height is built close to the property line it will significantly decrease the value of all the homes located within Timbers of Boca.

Voting NO will assist in limiting the size of the building that will be built.

**I am requesting that you vote NO on the Rainberry PUD Pod B change in the Future Land Use at the Board of County Commissioners Transmittal Meeting on January 28, 2019.**

Thank you,  
Lindsay Venidis  
(new homeowner)

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**From:** marlastromberg <marlastromberg@yahoo.com>

**Sent:** Friday, January 25, 2019 10:31 AM

**To:** Melissa Michael <MMichael@pbcgov.org>

**Subject:** Request for 'No' Vote on Rainberry PUD Pod B Future Land Use

Hi Melissa,

My name is Marla Stromberg and I have been a home owner in Timbers of Boca for almost 19 years. I am very strongly opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential-3 to Meduim Residential-5.

Rainberry PUD Pod B is on the west property line of Timbers of Boca, which is a nice community of single family homes. If the Future Land Use is changed, there are plans to build a 48-59 ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes.

A building of this large size and height built close to the property line would significantly decrease the value of not only my home, but all of the homes located within Timbers of Boca.

Voting no will assist in limiting the size of the building that will be built.

I am requesting that you vote No on the Rainberry PUD Pod B change Future Land Use at the Board of County Commissioners Transmittal Meeting on January 28, 2019.

Thank you kindly for your consideration.

Sincerely,  
Marla Stromberg

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**From:** Rich Neuroth Lois Feldhamer <dice9999@hotmail.com>  
**Sent:** Friday, January 25, 2019 6:39 AM  
**To:** Melissa Michael <MMichael@pbcgov.org>  
**Subject:** Sinai Residences Expansion

As a home owner in Timbers of Boca for 15 years, I am opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential-3 to Medium Residential-5. Rainberry PUD Pod B is on the west property line of Timbers of Boca a community of single family homes. If the Future Land Use is changed there are plans to build a 48 ft./59 ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all the homes located within Timbers of Boca.

Voting no will assist in limiting the size of the building that will be built.

**I am requesting that you vote NO on the Rainberry PUD Pod B change in Future Land Use at the Board of County Commissioners Transmittal Meeting on January 28, 2019.**

**Lois Feldhamer**  
**9105 Red Oak LN**  
**Boca Raton, FL 33428**

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**From:** Ron Corcoran <rcorcoranusa@gmail.com>  
**Sent:** Saturday, January 26, 2019 12:41 PM  
**To:** Hal Valeche <HValeche@pbcgov.org>; Melissa Michael <MMichael@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; Dave Kerner M. <DKerner@pbcgov.org>; Robert Weinroth S. <RWeinroth@pbcgov.org>; MaryLou Berger <MBerger@pbcgov.org>; mmckinley@pbcgov.org; Mack Bernard <MBernard@pbcgov.org>  
**Subject:** Timbers of Boca

As a home owner of Timbers of Boca for 3 years, I am opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential-3 to Medium Residential 5. Rainberry PUD Pod B is on the west property line of Timbers of Boca a community of single family homes. If the Future Land Use is changed there are plans to build a 48 ft./59 ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all homes within Timbers of Boca.

**I am requesting that you vote No on the Rainberry Pod B change in Future Land Use at the Board of Commissioners Meeting on January 28, 2019.**

Respectfully,

Ronald Corcoran

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**From:** camelia r <jerseywoman6195@hotmail.com>

**Sent:** Saturday, January 26, 2019 2:44 PM

**To:** Melissa Michael <MMichael@pbcgov.org>; Hal Valeche <HValeche@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; dkerner@pbcgov; Robert Weinroth S. <RWeinroth@pbcgov.org>; MaryLou Berger <MBerger@pbcgov.org>; Melissa McKinlay <MMcKinlay@pbcgov.org>; Mack Bernard <MBernard@pbcgov.org>

**Subject:** Timbers of Boca Rainberry PUD Pod B (Board of County Commissioners Transmittal Meeting

As a home owner in Timbers of Boca for 28 years, i am noppoused to the change in Rainberry PUD Pod B Future Land Use from Low Residential-3 to Medium Residential-5. Rainberry PUD Pod B is on the west property line of Timbers of Boca a community of single family homes. If the Future Land Use is changed there are plans to build a 48 ft./59ft. high building with 254,718 square ft. close to the property line of Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of allt the homes located within Timbers of Boca.

I Camelia Uriarte am voting NO on the Rainberry PUD Pod B.

Camelia Uriarte  
21190 White Oak Ave  
Boca Raton, FL  
33428

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**From:** Ronald Schreiner <rgschreiner100@gmail.com>

**Sent:** Sunday, January 27, 2019 3:58 PM

**To:** Melissa Michael <MMichael@pbcgov.org>

**Subject:** vote NO on Rainberry PUD

As a homeowner in the Timbers fo Boca for 31 years, I am opposed to the change in Rainberry PUD Future Land Use from Low Residential 3 to Medium Residential 5. If the Future Land Use is changed there are plans to build a 48' x 59' high building close to the Timbers of Boca property line.

If a building of this size is built it will significantly decrease the value of all the homes located in the Timbers of Boca.

Voting NO will assist in limiting the size of the building proposed.

**I am requesting that you vote NO on the Rainberry PUD Pod B change in Future Land Use at the Board of County Commissioners transmittal meeting on January 28, 2019.**

Ronald Schreiner  
21134 White Oak Ave  
Boca Raton, FL. 33428

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**From:** Donna Corcoran <dcorcoranusa@gmail.com>

**Sent:** Saturday, January 26, 2019 1:50 PM

**To:** Melissa Michael <MMichael@pbcgov.org>; Hal Valeche <HValeche@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; Dave Kerner M. <DKerner@pbcgov.org>; Robert Weinroth S. <RWeinroth@pbcgov.org>; MaryLou Berger <MBerger@pbcgov.org>; Melissa McKinlay <MMcKinlay@pbcgov.org>; Mack Bernard <MBernard@pbcgov.org>

**Subject:** Timbers of Boca

As a home owner in Timbers of Boca for 3 years, I am opposed to the change in Rainberry PUD Pod B Future Land Use from Low Residential-3 to Medium Residential-5.

Rainberry PUD Pod B is on the west property line of Timbers of Boca, a community of single family homes.

If the Future Land Use is changed, there are plans to build a 48 ft./59 ft. high building with 254,718 square ft. close to the property lines of Timbers of Boca homes.

If a building of this size and height is built close to the property line, it will significantly decrease the value of all homes within Timbers of Boca.

**I am requesting that you vote No to the Rainberry Pod B change in Future Land Use at the Board of Commissioners Meeting on January 28, 2019.**

Respectfully yours,

Donna Corcoran